

## PERSONAL EXPLANATION

**HON. DOUG OSE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 1, 2004*

Mr. OSE. Mr. Speaker, on Monday, March 29, 2004, I missed Rollcall votes 94 and 95. Had I been here, I would have voted "aye" on Rollcall 94; and "aye" on Rollcall 95.

## INTRODUCING THE "AFGHAN WOMEN SECURITY AND FREEDOM ACT OF 2004"

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 1, 2004*

Mrs. MALONEY. Mr. Speaker, today I, along with my colleagues Representative TOM DAVIS (R-VA) and Representative CORRINE BROWN (D-FL), introduce the "Afghan Women Security and Freedom Act of 2004" which would authorize \$300 million each year from FY2005 through FY2007 for programs in Afghanistan that benefit women and girls. The funding would be directed toward legal assistance for women, enforcing provisions of the Afghan constitution pertaining to women's rights, encouraging the registration of women voters, and providing equipment to reduce infant and maternal mortality, among other provisions. This legislation was introduced earlier this year in the Senate by Senator BARBARA BOXER (D-CA).

Women's rights in Afghanistan have fluctuated greatly over the years. Women have bravely fought the forces of extremism at various points in the country's turbulent history. At one time, women were scientists and university professors. They led corporations and nonprofit organizations in local communities.

While the new Afghan constitution guarantees equality for Afghan women, throughout Afghanistan, women continue to face intimidation, discrimination, and violence. The United States has an obligation to ensure that women and girls have the opportunities that they were denied under the Taliban and that the gains that have been made are not lost in the coming months and years. It is imperative that we provide the support needed to ensure that the rights of women are protected in the new Afghanistan.

## PAYING TRIBUTE TO THELMA STARNER

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 1, 2004*

Mr. McINNIS. Mr. Speaker, it is my pleasure to rise today to honor Thelma Starnier for her selfless dedication to the community of Delta, Colorado, and congratulate her on being recognized by the Delta City Chamber as their Humanitarian of the Year. The award is presented to an individual who has shown an outstanding commitment to the Delta community, and Thelma could not be a more worthy recipient. It is a privilege to pay tribute to Thel-

ma for her well-deserved award, and her ongoing efforts to better her community today.

Thelma owned and operated Delta Sand & Gravel for twenty-five years. As an active member in her community, she dedicates her time to a vast array of civic functions. Thelma has served as president of the Delta Chamber, Western Colorado Community Foundation, and Altrusa International of Delta; and is current president of the hospital's board of directors and of the board of Tri-County Resource Center. Thelma also was a founding board member of West Central Housing Development Organization and Delta Area Development Inc. Her enthusiasm for taking part in these organizations comes from the joy she receives in giving back to the community she loves.

Mr. Speaker, it is my privilege to recognize Thelma before this body of Congress and this nation for the recognition she received by the Delta City Chamber as their Humanitarian of the Year. She has done much to improve her community, and I wish her all the best in her future endeavors.

## INTRODUCING THE AMERICAN JUSTICE FOR AMERICAN CITIZENS ACT

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 1, 2004*

Mr. PAUL. Mr. Speaker, I rise to introduce the American Justice for American Citizens Act, which exercises Congress's Constitutional authority to regulate the federal judiciary to ensure that federal judges base their decisions solely on American Constitutional, statutory, and traditional common law. Federal judges increasing practice of "transjudicialism" makes this act necessary. Transjudicialism is a new legal theory that encourages judges to disregard American law, including the United States Constitution, and base their decisions on foreign law. For example, Supreme Court justices recently used international law to justify upholding race-based college admissions and overturning all state sodomy laws.

In an October 28, 2003 speech before the Southern Center for International Studies in Atlanta, Georgia, Justice O'Connor stated: "[i]n ruling that consensual homosexual activity in one's home is constitutionally protected, the Supreme Court relied in part on a series of decisions from the European Court of Human Rights. I suspect that with time, we will rely increasingly on international and foreign law in resolving what now appear to be domestic issues, as we both appreciate more fully the ways in which domestic issues have an international dimension, and recognize the rich resources available to us in the decisions of foreign courts."

This statement should send chills down the back of every supporter of Constitutional government. After all, the legal systems of many of the foreign countries that provide Justice O'Connor with "rich resources" for her decisions do not respect the same concepts of due process, federalism, and even the presumption of innocence that are fundamental to the American legal system. Thus, harmonizing American law with foreign law could undermine individual rights and limited, decentralized government.

There has also been speculation that transjudicialism could be used to conform American law to treaties, such as the UN Convention on the Rights of the Child, that the Senate has not ratified. Mr. Speaker, some of these treaties have not been ratified because of concerns regarding their effects on traditional American legal, political, and social institutions. Judges should not be allowed to implement what could be major changes in American society, short-circuit the democratic process, and usurp the Constitutional role of the Senate to approve treaties, by using unratified treaties as the bases of their decisions.

All federal judges, including Supreme Court justices, take an oath to obey and uphold the Constitution. The Constitution was ordained and ratified by the people of the United States to provide a charter of governance in accord with fixed and enduring principles, not to empower federal judges to impose the transnational legal elites' latest theories on the American people.

Mr. Speaker, the drafters of the Constitution gave Congress the power to regulate the jurisdiction of federal courts precisely so we could intervene when the federal judiciary betrays its responsibility to uphold the Constitution and American law. Congress has a duty to use this power to ensure that judges base their decisions solely on American law.

Therefore, Mr. Speaker, I urge my colleagues to do their Constitutional duty to ensure that American citizens have American justice by cosponsoring the American Justice for American Citizens Act.

## SENATOR BYRD CASTS HIS 17,000TH VOTE IN CONGRESS

**HON. NICK J. RAHALL, II**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 1, 2004*

Mr. RAHALL. Mr. Speaker, on January 8, 1959, ROBERT C. BYRD, my friend and mentor, cast his first vote in the U.S. House of Representative. Today, he cast his 17,000th vote in the U.S. Senate. I was with him on the Senate floor for this historic occasion.

This is a singular achievement. One that reveals not only the dedication of the Senior Senator from my home State of West Virginia, but also his willingness to put into action the words he so eloquently articulates on the floor on the U.S. Senate.

Though many will say, and I agree, that there is not a better speaker today than Senator BYRD, he is not a man of talk, he is a man of action, as this milestone indicates.

With each vote, Senator BYRD sets a new mark of public service achievement, but as Senator BYRD said himself, "It isn't necessarily the quantity of the votes that count. It is the quality of the vote."

And, if a Senator were to cast but a lone vote in a senatorial tenure as short as a moment, the words of ROBERT C. BYRD on the floor of the U.S. Senate will still ring out loudly, clearly, and forthrightly to generations with time, "(w)e are, at one and the same time, the sons of sires who sleep in calm assurance that we will not betray the trust that they confided to our hands; and the sires of sons who wait confident, in the beyond, that we will not cheat them of their birthright."