

I'm proud that our local offices took the initiative and came up with a better way to implement this new requirement. Thanks to their innovation, staff will spend more time serving the public and less time processing paperwork. That's better for Social Security, better for the Clerk's office, and best of all, better for all the Macomb County residents they serve.

#### INTRODUCTION OF THE WE THE PEOPLE ACT

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. PAUL. Mr. Speaker, I rise to introduce the We the People Act. The We the People Act forbids federal courts, including the Supreme Court, from adjudicating cases concerning state laws and policies relating to religious liberties or "privacy," including cases involving sexual practices, sexual orientation or reproduction. The We the People Act also protects the traditional definition of marriage from judicial activism by ensuring the Supreme Court cannot abuse the equal protection clause to redefine marriage. In order to hold federal judges accountable for abusing their powers, the act also provides that a judge who violates the act's limitations on judicial power shall either be impeached by Congress or removed by the president, according to rules established by the Congress.

The United States Constitution gives Congress the authority to establish and limit the jurisdiction of the lower federal courts and limit the jurisdiction of the Supreme Court. The Founders intended Congress to use this authority to correct abuses of power by the federal judiciary.

Some may claim that an activist judiciary that strikes down state laws at will expands individual liberty. Proponents of this claim overlook the fact that the best guarantor of true liberty is decentralized political institutions, while the greatest threat to liberty is concentrated power. This is why the Constitution carefully limits the power of the federal government over the states.

In recent years, we have seen numerous abuses of power by federal courts. Federal judges regularly strike down state and local laws on subjects such as religious liberty, sexual orientation, family relations, education, and abortion. This government by federal judiciary causes a virtual nullification of the Tenth Amendment's limitations on federal power. Furthermore, when federal judges impose their preferred policies on state and local governments, instead of respecting the policies adopted by those elected by, and thus accountable to, the people, republican government is threatened. Article IV, section 4 of the United States Constitution guarantees each state a republican form of government. Thus, Congress must act when the executive or judicial branch threatens the republican governments of the individual states. Therefore, Congress has a responsibility to stop federal judges from running roughshod over state and local laws. The Founders would certainly have supported congressional action to reign in federal judges who tell citizens where they can and can't place manger scenes at Christmas.

Mr. Speaker, even some supporters of liberalized abortion laws have admitted that the

Supreme Court's *Roe v. Wade* decision, which overturned the abortion laws of all fifty states, is flawed. The Supreme Court's Establishment Clause jurisdiction has also drawn criticism from across the political spectrum. Perhaps more importantly, attempts to resolve, by judicial fiat, important issues like abortion and the expression of religious belief in the public square increase social strife and conflict. The only way to resolve controversial social issues like abortion and school prayer is to restore respect for the right of state and local governments to adopt policies that reflect the beliefs of the citizens of those jurisdictions. I would remind my colleagues and the federal judiciary that, under our Constitutional system, there is no reason why the people of New York and the people of Texas should have the same policies regarding issues such as marriage and school prayer.

Unless Congress acts, a state's authority to define and regulate marriage may be the next victim of activist judges. After all, such a decision would simply take the Supreme Court's decision in the *Lawrence* case, which overturned all state sodomy laws, to its logical conclusion. Congress must launch a preemptive strike against any further federal usurpation of the states' authority to regulate marriage by removing issues concerning the definition of marriage from the jurisdiction of federal courts.

Although marriage is licensed and otherwise regulated by the states, government did not create the institution of marriage. Government regulation of marriage is based on state recognition of the practices and customs formulated by private individuals interacting in civil institutions, such as churches and synagogues. Having federal officials, whether judges, bureaucrats, or congressmen, impose a new definition of marriage on the people is an act of social engineering profoundly hostile to liberty.

It is long past time that Congress exercises its authority to protect the republican government of the states from out-of-control federal judges. Therefore, I urge my colleagues to co-sponsor the We the People Act.

#### RECOGNIZING JACOB LEE WIER FOR ACHIEVING THE RANK OF EAGLE SCOUT

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Jacob Lee Wier, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and in earning the most prestigious award of Eagle Scout.

Jacob has been very active with his troop, participating in many scout activities. He has camped at the H. Roe Bartle Scout Reservation for six years and earned the rank of Firebuilder in the Tribe of Mic-O-Say. Over the many years Jacob has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Jacob Lee Wier for his accom-

plishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### INTRODUCTION OF THE CHILDREN'S HEALTH FEDERAL TRADE COMMISSION AUTHORITY RESTORATION ACT

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Ms. NORTON. Mr. Speaker, I am pleased today to introduce legislation to restore the Federal Trade Commission's (FTC) authority to regulate marketing to children under the age of 18 in order to help eliminate an epidemic of overweight and obesity that studies link to pervasive advertising of junk food to the Nation's youth. A similar provision has been introduced as part of a larger bill in the Senate, and former President Clinton is taking a leading role in efforts to control the rapid increase in overweight and obesity in children. Yet Congress has failed to take decisive action, despite definitive studies that show that childhood obesity has become one of the Nation's most serious health issues, creating a surge in debilitating diseases we are seeing for the first time in kids.

The Centers for Disease Control reports that 12.5 million children and adolescents, ages 2–19, are overweight, a rate that has tripled in the last 40 years. As a result, the incidence of Type 2 diabetes in children, a disease that is mainly associated with adults, has become widespread in recent years. Overweight children have a more than 70 percent chance of being overweight adults, putting them at risk for many serious health conditions, such as high blood pressure, asthma and heart disease. Many of these children are obese in part because they watch so much television, on the average, over 2 hours a day. However, a study by the congressionally chartered Institute of Medicine (IOM) found extraordinary growth in new food products targeted to children, from just 52 new product introductions in 1994 to close to 500 just last year. Significantly, the IOM report finds that advertisements during children's programming feature foods high in fat, with little to no nutritional value.

The problem is even greater in programming geared toward African American television consumers, adults and children alike. A summer 2005 survey of programming on Black Entertainment Television (BET) found that 66 percent of the ads were for fast food commercials. The study monitored commercials during the afternoon hours, when children watch cartoons and "tween" shows. The WB Network and Disney Channel were also monitored in the study. During that time slot, over 1,000 ads were shown on all three channels. Only 34 percent of ads on the WB promoted fast foods, and none at all on the Disney channel. McDonald's was the leading fast food advertiser on BET. Further, 82 percent of advertisements on BET were for soda, with the WB at 11 percent. The Disney Channel accounted for only 6 percent of soda advertisements. Advertisements for snacks accounted for 60 percent of BET programming, 40 percent on the Disney Channel and none