

A viewing will be held at 10 a.m. Jan. 3 at Ardmore Presbyterian Church, Montgomery Avenue and Mill Creek Road; a service will follow at 11 a.m. Burial will be 11 a.m. Jan. 4 at Arlington National Cemetery, Arlington, Va.

THE NINTH CIRCUIT COURT OF APPEALS

HON. JIM BUNN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 1, 1996

Mr. BUNN of Oregon. Mr. Speaker, today I am introducing a plan, already approved by the Judiciary Committee in the other body, to reorganize the Ninth Circuit Court of Appeals. This proposal, which is long overdue, would divide a circuit that is twice as large as the national average in terms of geographical area, population, and caseload.

The Ninth Circuit Court of Appeals was originally designed during the Civil War, when 6 of the 9 States in the circuit had not yet been admitted to the Union. Since then, the laws of the Nation, and the resources required to interpret those laws, have grown exponentially. Caseload growth is a concern in many circuits, but no circuit suffers the burden as does the ninth circuit.

One large problem is the magnitude of cases that has led to lengthy delays. Even Chief Judge Wallace, the top judge in the ninth circuit, admitted that cases can be delayed for 4 months over the national average. While the judges have worked very hard to improve an unacceptable situation, I believe we can do better.

The number of judges alone prevents consistency in the ninth circuit. There are 28 judges in the ninth, more than twice the national average of 12.6, leading to thousands of possible combinations of three judge panels to hear a case. Because there are so many sitting and visiting judges, there is little uniformity among decisions, leading to greater uncertainty of the law of the land. Furthermore, the Ninth Circuit Court of Appeals has a higher rate of cases being overturned by the U.S. Supreme Court than the national average.

In addition, Chief Judge Wallace recently called for 10 additional judges to ease the burden on the current judges, while others have requested that the number of judges be doubled to 56. However, adding judges to the already unwieldy panel of 28 would only worsen the problem; reorganizing the ninth circuit into two more manageable circuits provides a much more efficient solution.

There is recent precedent for the successful split of a Circuit Court of Appeals. The Hruska Commission recommended in 1973 that both the fifth and the ninth circuits be divided due to overwhelming size and caseload. The fifth circuit was split in 1980 with great success in improving efficiency. Chief Judge Tjoflat of the eleventh circuit testified before the other body's Judiciary Committee that while the new fifth and the eleventh circuits have approximately the same number of judges as does the ninth, the two new circuits are able to process 50 percent more cases than the current ninth circuit.

Judges, lawyers, and legislators have been calling for a reorganization of the ninth circuit since the formal recommendation in 1973, and

the attorneys general of nearly all of the States involved have endorsed the ninth circuit split. While many people agree that much greater reform of the Federal judicial system is needed, this bill is a crucial first step. I ask my colleagues to join me in support for this important legislation.

REMARKS BY SENATOR NUNN AT NATIONAL PRAYER BREAKFAST

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 1, 1996

Mr. LANTOS. Mr. Speaker, it is an honor and a great personal pleasure for me to introduce into the CONGRESSIONAL RECORD the following statement by our distinguished colleague and my good friend, Senator SAM NUNN. His speech, delivered at the National Prayer Breakfast this morning, was very powerful and given with his usual sense of thoughtfulness and sincerity. I strongly urge all of my colleagues to take a moment and read this moving address given the Senator NUNN.

[National Prayer Breakfast, Feb. 1, 1996]

SENATOR SAM NUNN—TRANSCRIPT OF REMARKS

Thank you Bob Bennett, President and Mrs. Clinton, Vice President and Mrs. Gore, fellow sinners. Have I left anyone out? I say to my good friend, Alan Simpson, Billy Graham called me also, Alan. He said, as he did in his message, that he was praying for us all. But, he felt particularly compelled to pray for Alan Simpson and for me. Alan, I don't know what he meant by that, but you and I appreciate it.

A few years ago during the Bresnev era, Dr. Billy Graham returned from a highly publicized trip to Moscow and was confronted when he returned by one of his critics with these words, "Dr. Graham, you have set the church back 50 years." Billy Graham lowered his head and replied, "I am deeply ashamed. I have been trying very hard to set the church back 2,000 years."

Today we represent different political parties, different religions and different nations, but as your invitation states, we gather as brothers and sisters in the spirit of Jesus who lived 2,000 years ago, and who lives in our hearts and minds today.

The first prayer breakfast was held in 1953 in a world of great danger. President Eisenhower was newly inaugurated and had just returned from Korea where our young soldiers were fighting desperately. World Communism was on the move. Eastern Europe and the Baltics were locked behind the Iron Curtain. All across the globe, the lights of religious freedom and individual rights were going out, and the specter of nuclear destruction loomed over our planet.

I wonder this morning how those who attended that first national prayer breakfast 43 years ago would have reacted if God had given them a window to see the world of the 1980's and 1990's.

They would have seen truly amazing things: Catholic nuns kneeling to pray in the path of 50-ton tanks—the power of their faith bringing down the Philippine dictatorship; the Iron Curtain being smashed, not by tanks of war, but by the hands of those who built it and those who were oppressed by it; the Cold War ending, not in a nuclear inferno, but in a blaze of candles in the churches of Eastern Europe, in the singing of hymns and the opening of long-closed syna-

gogues. I believe that God gave Joseph Stalin the answer to his question, "How many divisions does the Pope have?"

They also would have seen a black man in South Africa emerge from prison after 26 years and become the President of his nation, personifying forgiveness and reconciliation; the first hesitant but hopeful steps toward peace between Jews and Arabs in the Middle East, and between Protestants and Catholics in Northern Ireland. They would see that in 1996 we are blessed to live in a world where more people enjoy religious freedom than at any other time in history. Can we doubt this morning that a loving God has watched over us and guided us through this dangerous and challenging period?

During the early days of the Russian parliament, the Duma, I joined several other Senators in attending a meeting with a number of newly elected members of that body. The second day, a few of us were invited to a very small "prayer breakfast" with a group of Duma members who were just forming a fellowship, no doubt stimulated by Doug Coe. As in the larger meeting the day before, the breakfast discussion started with a degree of coldness and tension. One of the Russians, in obvious sadness and a little embarrassment, remarked that Russia was in great economic distress and that the United States was the only remaining superpower. It was clear that this was a very sensitive point for them. It had been abundantly clear the day before.

Senator Dirk Kempthorne and I then pointed out that in the real sense there is only one superpower in the world, our heavenly Father who watches over us all. The tension immediately eased and the spirit of fellowship was built, and we prayed together to that superpower, the God who loves us all.

Our world is a strange and tragic place. It is very ironic in many ways. The Cold War is now over, but in a tragic sense, the world has now been made safer for ethnic, tribal, and religious vengeance and savagery. Such tragedy has come to the people of Somalia, Bosnia, Rwanda, Burundi, Sudan, Haiti and others.

At home, the pillar of our national strength, the American family, is crumbling. Television and movies saturate our children with sex and violence. We have watered down our moral standards to the point where many of our youth are confused, discouraged and in deep trouble. We are reaping the harvest of parental neglect, divorce, child abuse, teen pregnancy, school dropouts, illegal drugs, and streets full of violence.

It's as if our house, having survived the great earthquake we call the Cold War, is now being eaten away by termites. Where should we turn this morning and in the days ahead?

Our problems in America today are primarily problems of the heart. The soul of our nation is the sum of our individual characters. Yes, we must balance the federal budget and there are a lot of other things we need to do at the Federal level, but unless we change our hearts we will still have a deficit of the soul.

The human inclination to seek political solutions for problems of the heart is nothing new. It is natural. Two thousand years ago, another society found itself in deeper trouble than our own. An oppressive empire strangled liberties. Violence and corruption were pervasive.

Many of the people of the day hoped for the triumphant coming of a political savior, a long-expected king to establish a new, righteous government. Instead, God sent his son, a baby, born in a stable. Jesus grew up to become a peasant carpenter in a backwater town called Nazareth. He condemned sin but made it clear that he loved the sinner. He befriended beggars and prostitutes and even

tax collectors while condemning the hypocrisy of those in power. He treated every individual with love and dignity and taught that we should do the same. He died like a common criminal, on a cross, and gave us the opportunity for redemption and the hope of eternal life.

He also put the role of government in proper perspective when he said, "Render unto Caesar that which is Caesar's and unto God that which is God's."

Shortly after I announced that I would not seek reelection, a reporter asked me, "You've been in the Congress for 24 years; what do you consider to be your greatest accomplishment?" I paused for a moment and replied, "Keeping my family together for 24 years and helping my wife Colleen raise two wonderful children, Michelle and Brian." Upon hearing this, the reporter scoffed, "Don't give me that soft sound-bite stuff. What laws did you get passed?"

When he said that, I had several thoughts—only a couple of them I can share with you this morning. Four years ago, my daughter, Michelle, and a few of her friends started an organization in Atlanta called Hands on Atlanta, making it exciting, efficient and fun for young people to volunteer their time to help those in need. Now, about 5 years later, 10,000 volunteers each month render about 20,000 hours of personal, one-on-one service. What laws have I passed that have had this impact?

I also thought about the difference between being a Senator and being a father. When we in the Senate make a mistake, we have checks and balances—99 other Senate colleagues, plus the House of Representatives, plus the President, plus a final review by the Supreme Court. But, when we as parents make a mistake with our children, where are the checks and where are the balances?

Congress can pass laws cracking down on those who refuse to support their children. But we cannot force husbands to honor their wives, wives to love their husbands, and both parents to nurture their children. Congress can pass laws on civil rights and equal rights, but we cannot force people of different races to love each other as brothers. Congress can promote fairness and efficiency in our tax code, but we cannot force the rich to show compassion toward the poor. We can join with our NATO allies to separate the warring factions in Bosnia, as we are doing, and give them a breathing space, but we cannot force Muslims, Croats and Serbs to live together as brothers in peace.

I recently heard a story on the radio. It happened in Bosnia, but I think it has meaning for all of us. A reporter was covering that tragic conflict in the middle of Sarajevo, and he saw a little girl shot by a sniper. The back of her head had been torn away by the bullet. The reporter threw down his pad and pencil, and stopped being a reporter for a few minutes. He rushed to the man who was holding the child, and helped them both into his car.

As the reporter stepped on the accelerator, racing to the hospital, the man holding the bleeding child said, "Hurry, my friend, my child is still alive."

A moment or two later, "Hurry, my friend, my child is still breathing."

A moment later, "Hurry, my friend, my child is still warm."

Finally, "Hurry. Oh my God, my child is getting cold."

When they got to the hospital, the little girl had died. As the two men were in the lavatory, washing the blood off their hands and their clothes, the man turned to the reporter and said, "This is a terrible task for me. I must go tell her father that his child is dead. He will be heartbroken."

The reporter was amazed. He looked at the grieving man and said, "I thought she was your child."

The man looked back and said, "No, but aren't they all our children?"

Aren't they all our children?

Yes, they are all our children. They are also God's children as well, and he has entrusted us with their care in Sarajevo, in Somalia, in New York City, in Los Angeles, in my hometown of Perry, Georgia and here in Washington, D.C.

In the book of Micah, the prophet asks, "Shall I give my firstborn for my transgressions, the fruit of my body for the sin of my soul?"

The cruelest aspect of our wars and our sins is what they do to our children. Jesus said, "Suffer the little children to come unto me . . . For of such is the kingdom of God." Too often today we shorten this commandment—to suffer—little children.

Mrs. Clinton, thank you for the emphasis you have put on children and the spotlight you have shined on our challenges. You are great.

The world is watching America today. People around the world are watching not just our President or our Congress or our economy or even our military deployments. They are watching our cities, our towns, and our families to see how much we value our children, and whether we care enough to stop America's moral and cultural erosion. Do we in America in 1996 love our neighbors as ourselves as explained by Bob Bennett as our theme for the morning and by Tom Lantos and his personal example?

I do not have the answer to these questions this morning, and I don't pretend to. These problems can be solved only in the hearts and minds of our people and one child at a time. I do, however, have a few observations.

The Cold War provided us with a clarity of purpose and a sense of unity as a people. Our survival as a nation was at stake. We came together often in fear. The challenges that confront us today are far different, but the stakes are the same. I pray that our children, all of our children, will be the bridge that brings us together, not in fear, but in love.

Each year millions of our children are abused, abandoned and aborted. Millions more receive little care, discipline and almost no love. While we continue to debate our deeply-held beliefs as to which of these sins should also be violations of our criminal code, I pray that we as parents, as extended families, and as communities, will come together to provide love and spiritual care to every mother and to every child, born or unborn.

Government at every level must play a role in these challenges, but I do not believe that it will be the decisive role. What, then, are our duties as leaders, not just in the world of politics and government, but in every field represented here this morning and throughout our land? Like basketball stars Charles Barkley and Dennis Rodman, we are role models whether we like it or not.

I believe that the example we set, particularly for our young people, may be the most important responsibility of public service. We must demonstrate with our daily lives that it is possible to be involved in politics and still retain intellectual honesty and moral and ethical behavior.

We are all sinners, so we will slip and we will fall. But I have felt God's sustaining hand through every phase of my life—growing up in Perry, Georgia, raising a family, my relationship with my wife Colleen, in Senate floor debates, in committee meetings, visiting our troops in war, or being part of a mission for peace.

In the years ahead, when I think back on my public service, I am certain that my

most cherished memories will be those moments spent with my colleagues in the Senate prayer breakfasts and in my meetings with leaders from around the world, usually arranged by Doug Coe, in the spirit of Jesus.

I have also been blessed by many friends in the Senate and also a small fellowship with a group of Senate brothers like the late Dewey Bartlett, Republican of Oklahoma; Lawton Chiles, Democrat of Florida; Pete Domenici, Republican of New Mexico; Harold Hughes, Democrat of Iowa; and Mark Hatfield, Republican of Oregon. No one can accuse that group of being of like minds politically.

Yet, these brothers have listened to my problems, shared in my joys, held me accountable and upheld me in their prayers. Fellowship in the spirit of Jesus does amazing things. It puts political and philosophical differences, even profound differences, even profound differences, in a totally different perspective.

I believe that 2,000 years ago Jesus was speaking to each of us when he delivered his Sermon on the Mount. And, my prayer this morning for our leaders and our nation is in the spirit of his words then.

May we who would be leaders always be aware that we must first be servants. May we who compete in the arena of government and politics remember that we are commanded to love our enemies and pray for those who persecute us. I can't find any exception for the news media or our opponents. May we who seek to be admired by others remember that when we practice our piety before men in order to be seen by them, we will have no reward in heaven. May we who have large egos and great ambitions recall that the Kingdom of Heaven is promised to those who are humble and poor in spirit. May we who depend on publicity as our daily bread recall that when we do a secret kindness to others, our Father, who knows all secrets, will reward us. May the citizens whom we serve as stewards of government be sensitive to the fact that we are human beings subject to error and that while we need their critiques, we also desperately need their prayers. May we never forget that the final judgment of our tenure here on earth will not be decided by a majority vote, and that an election is not required to bring us home.

May God bless each of you.

SCHOOLS YOU CAN BELIEVE IN

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 1, 1996

Mr. UNDERWOOD. Mr. Speaker, this week is National Catholic Schools Week. I want to take this opportunity to highlight, praise, and congratulate our Catholic schools. Catholic schools are an integral part of our island community on Guam. In fact, nearly one out of every five students on Guam attend Catholic schools.

The mission of the Catholic schools of the Archdiocese of Agaña is "to proclaim the Gospel, build community, and educate for service to humanity by integrating the truths of the Catholic faith with the learning process." School children are taught values along with academics and truth along with facts.

Catholic schools on Guam are not just on the forefront of elementary and secondary education, they are on the cutting edge. Our Catholic schools, in addition to traditional quality teaching, are leaders in innovation. Last