

As I was thinking about this part of my speech, I thought of saying to you that there were two of such activities that highlighted my career in the sense of the personal enjoyment and satisfaction that I got out of them. But, as I thought of that notion, I concluded that I could say the same thing with regard to everything I have done and such joy and satisfaction was not limited to a mere two or three endeavors. But a brief review of two will serve my purpose tonight.

For about 22 years, in addition to full time teaching, part time practicing as counsel to a firm, and serving as associate dean of the law school, I was the first associate reporter, then reporter, and then a member of the Advisory Committee on Bankruptcy Rules of the Judicial Conference of the U.S. This was not totally fun, but overall, it was quite an interesting challenge.

One incident, that one would think is unrelated to that work, involved a partial shredding of both of my trousers' legs, starting at the lower thigh, and appearing with cloth flapping before a Congressional committee to testify. The reason for the shredding was a mind bending state of frustration in listening and having to accede to suggestions to change the Chapter X Rules being made by members of the Standing Committee on Practice and Procedure, that is, the oversight committee which had no one on it who knew a whit about bankruptcy, and Chapter X in particular. During the discussion, my hands were under the table and basically, subconsciously, were clutching my pants legs and, at one point of extreme aggravation, they pulled back, tearing the pants.

Another extracurricular activity that took a great deal of time, and, in looking back, I do not quite understand where the time came from, was on the legislative front. I first got involved in that through the legislation committee of the National Bankruptcy Conference and the first excursion in drafting legislation for congress and testifying with respect to it was the 1970 Nondischargeability Amendments, which gave the bankruptcy court jurisdiction to determine the effect of a discharge.

An interesting aspect of that task was working with the National Association of Referees in Bankruptcy to come up with a joint bill and, at each turn, having members of the House subcommittee complain that the draft was not strong enough to prohibit further abuses of the discharge system by consumer credit companies. One of the most interesting days was when I received a call from Senator Quentin Burdick of North Dakota asking me to come to his office.

I was there very quickly. He ushered me into his office, told me to put my feet on the desk, offered me a shot of bourbon (9 a.m.), and he started talking. He had gotten interested in the bankruptcy jurisdiction of the referee in bankruptcy and wondered out loud whether it made sense to create a commission to study the bankruptcy laws with a view to updating them. I, of course, was in 100 [percent] ecstatic agreement, and, from that moment, the 1970 Commission was born not without some problems, but that is a story for another day.

In the mid-1970s, I was called to the House subcommittee, which was considering amending Chapter IX of the former [Bankruptcy] Act, the municipality chapter, because of the New York City financial crisis. At first, all I was asked to conduct [was] an afternoon's seminar for the members of the subcommittee and their staffs on the topic of executory contracts under the Bankruptcy Act. This was becoming a big issue in the legislation because of the power of the city's labor unions and their bargaining agreements.

But, at the conclusion, the chairman of the subcommittee, Congressman Don Edwards,

asked me to show up the next morning at the start of the markup of the Chapter IX bill. Now, no one can speak at a markup session except the members and their staff, so I had to remain silent. At the markup, Congressman Butler, the ranking minority member, had a list of about 50 amendments to the proffered bill which were being read, one by one, by his minority counsel, Ken Klee, and then voted upon.

As an amendment was read, Don Edwards looked in my direction and I quickly realized he was seeking a reaction to the amendment from me by way of a nod or shake of the head. And I complied.

After a while, Congressman Butler asked for a recess and he came over to me, asking, "Am I seeing right? Are you reacting to my amendments as they are read without even having seen them before?" I replied in the affirmative, and he then asked if I would study the remainder of them overnight and meet with him the next morning to offer my reaction.

The next day I showed him the lists that I had made of the amendments: in one group I placed the ones I agreed with; in the next group I placed the ones I disagreed with; and in the third group, I placed the ones I did not take a position on because I believed them to be purely political, which was within his expertise and not mine.

At the markup session, Butler offered to Edwards the group one amendments with the statement that they had passed muster with the NYU law school. He did not offer group two, and the discussion was limited to Group 3. The markup continued for several days although it was serially announced that it would conclude at the end of that days' session. That did not happen. In the morning, I would check out of my hotel and, in the evening, I would check back in.

During the 1970s and '80s, I spent a fair amount of time testifying before Congressional committees and subcommittees, which was very time consuming and, also, fairly expensive. Congress invites you to work for it, but it does not offer to pay, even expenses.

In addition, I did a fair amount of continuing education work all over the country, on behalf of state and local bar associations and other suppliers of such programs. I considered appearing on these programs to be part of my job as a teacher, whether I received any compensation (which I did not) for the work.

I now think appearing on such programs is more than a teacher's job. I believe that it is incumbent on all of us, practitioners and judges alike, to participate in these programs, if we have something to offer. Judges are a bit problematic because of their position and having to decide issues but, with care as to the type of participation, they can share their gathered wisdom with the bar and public generally.

Another area in which lawyers, particularly, can serve beyond their everyday role is through their local bar associations. Active membership should be considered a must. There are many things the local bar can do in a very constructive manner. Very important is its ability to present its views to legislatures regarding bankruptcy and related legislation.

Either through bar association work or on an independent basis, pro bono work is of utmost importance, particularly in view of the new legislation. The costs to debtors filing for bankruptcy go up and up and up and no one in Washington seems to understand that the poor are being asked to support the system.

Help is needed all over the country. Go to your local courts and volunteer to serve. Create formal programs in your district to

help the unfortunate. I know there are established programs in some parts of the country. Get involved in them. Give something back. That is the rallying cry.

Some have suggested programs to get lawyers and judges into the classrooms around the country. I have not been enamored of that idea. I do not believe you can pick someone out of his or her office or from the bench and say, here, teach, even if that individual has volunteered with enthusiasm to do so. Not everyone can be an effective teacher. It takes a good deal more than merely standing in front of a group and talking. Again, that is a separate subject for a talk, and I will not belabor it here.

But there is a lot out there that can be done. Legislative work is always timely. Keep in touch with your members of Congress. If you are not known, find someone in your firm, or roster of friends or clients who is. Include Representatives and Senators. If you have a string to the White House, use it and turn it into a rope. Plan in advance.

Share your expertise by writing sensible articles. The key word is sensible.

Participate in bar association functions. Be active. Volunteer to do work.

Get involved in pro bono work. You will get a lot of satisfaction in helping people.

In whatever form you wish to express yourself, remember, give something back.

HONORING SHIRLEY HELLER

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 31, 2001

Mr. DEUTSCH. Mr. Speaker, I rise to honor the lifetime achievements of one of South Florida's most active and charitable volunteers. Shirley Heller, who passed away on July 16, 2001 at the age of 72, was an inspiring leader who left a legacy of commitment and devotion for the South Florida community.

Shirley Heller grew up on the north side of Chicago. She attended the National College of Education and, after receiving her degree, became a teacher who was greatly loved and admired by her students. Her love for teaching led her to volunteer for the Great Books program in Chicago, which promotes classic pieces of literature.

Shirley's love of politics and public service also began during her time in Chicago, where her lifetime of activism can be traced back to the Truman years. Shirley would serve as a national delegate for the Democratic Convention, a duty she would fulfill twice more after moving to Florida. However, Shirley was best known for her dedication to her community. She was an active member of various women's groups, and had the honor of serving as the President of Hadassah for three consecutive terms. She also founded the local B'nai B'rith organization for girls in the greater Chicago area.

Shirley was an extremely giving person who always worked for others and not herself. Immediately after moving to Florida in 1979, Shirley became involved in numerous civic and community organizations. Residents at once recognized the value of her enthusiasm for and commitment to her community; characteristics which made her a natural leader. She served as president of the Pembroke Pines Democratic Club, as well as president of the Hollybrook Golf and Tennis Condominium.

Mr. Speaker, Shirley Heller was both well-loved and widely respected by all those blessed to have known her, especially her husband and three sons, whom she cherished. She selflessly served her community throughout her life's work. Today, Mr. Speaker, we celebrate Shirley's life, which serves as a wonderful example to all who follow in her footsteps.

CELEBRATING THE 75TH ANNIVERSARY OF ASTORIA CENTER OF ISRAEL

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 31, 2001

Mr. CROWLEY. Mr. Speaker, I rise in celebration of the 75th anniversary of The Astoria Center of Israel, one of the oldest and most venerable Conservative synagogues in my district.

Since its inception in 1926 the Astoria Center of Israel has been a bulwark of the Conservative Jewish community, as it provides a center for civic leadership, spiritual enrichment, and cultural relations.

Mr. Speaker, this congregation has always been a vibrant one.

In May of 1926, Financial, House, Membership, and Junior League committees had been established, a mere month after the building first opened its doors.

Those doors open into a sanctuary that is magnificent to behold even when the services have yet to commence. The beautiful canvasses of Mr. Louis Pierre Rigal, winner of the prestigious Grande Prix de Rome award in 1919, adorn the walls with glorious Biblical imagery.

Even today the synagogue continues to enrich the community's culture and spirit by offering plays, concerts, lectures, and civic meetings to any that wish to attend.

It would be impossible for me to separate the merits of this institution from those of its first spiritual leader, Rabbi Joshua Goldberg.

Rabbi Goldberg was the first Jewish chaplain of the United States Navy. When knowledge of the Holocaust became public, he, together with Rabbi Stephen Wise, was an active leader in the effort to save European Jews from Hitler's relentless persecution.

Rabbi Goldberg was stationed in Europe during World War II, and thus began his distinguished fifty-year-long career of Navy chaplaincy.

As a Rabbi, he reached out to other members of the clergy, both in local neighborhoods and throughout greater New York area. Rabbi Goldberg would often use radio broadcasts as a means of delivering his message of universal love and unity. Additionally, his efforts were integral to the formation of Queens College, my esteemed Alma Mater.

He made great contributions to the establishment of other Jewish communities such as Rego Park and Forest Hills.

Many prominent members of the Astoria Center for Israel continued to follow in Rabbi Goldberg's footsteps, such as Rabbi Alvin Class, the current chaplain of the New York Police Department.

I also must acknowledge the Center's many congregants that proudly pursue active ca-

reers in public service in both the governmental and private sectors.

It is my hope that we can fulfill the clause that concludes the Astoria Congregation of Israel synagogue charter—

"Behold how good and pleasant it is for brethren to dwell in unity"

RAILROAD RETIREMENT AND SURVIVORS' IMPROVEMENT ACT OF 2001

SPEECH OF

HON. JIM NUSSLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 31, 2001

Mr. NUSSLE. Mr. Speaker, I commend the Chairman of the Transportation and Infrastructure Committee for his effort to address the problem of the railroad retirement system's solvency and to improve the benefits of railroad retirees and their surviving spouses. The fundamental problem is that there is currently only one railroad worker for every three beneficiaries, and that ratio is only getting worse. I agree that steps need to be taken to ensure the long term solvency of the railroad retirement system.

However, I must share with my colleagues an important concern regarding this bill's potential impact on the federal budget. As Chairman of the House Budget Committee, I worked with the Committee Chairmen, House Leadership and the Administration to alleviate this same concern, which may have been incorrectly perceived as delaying its consideration on the floor.

This bill raises a technical question about how the government should treat the transfer of financial assets from the railroad retirement account to a new trust fund for the purchase of private securities. Under the existing rules for estimating the cost of legislation, the investment of railroad retirement funds in private securities is considered by the Congressional Budget Office and the Office of Management and Budget as an expenditure and would result in \$15.6 billion in new government spending in fiscal year 2002. This is because the funds would no longer be held or controlled by the U.S. Treasury.

There is another view held by many budget analysts that this transaction should simply be considered a means of financing the federal debt, and not as government spending. In other words, the investment of these assets would be considered a transfer of funds from one part of the federal government to another. Under this view, the investment of these bonds, which are currently in government securities, in private securities would have no net effect on the budget. I believe that this view is not unreasonable if the benefits of any return on investment accrue to a government-administered trust fund; that they are not used to finance new federal spending programs; and the investment decisions are walled off from political considerations or manipulation.

I am, however, opposed to a provision in the bill that directs OMB and CBO to estimate the cost of this bill, not on the basis of what they objectively think it actually costs, but what the Congress thinks it should cost. I do not believe that Congress should arbitrarily substitute its judgment for that of our budget experts.

As I support the overarching goal of restoring solvency to the railroad retirement system, I voted in favor of the Railroad Retirement and Survivors' Improvement Act of 2001. Nevertheless, I strongly believe that the bill requires additional work if it is to both serve the important needs of our country's hard working railroad employees and ensure that we maintain a balanced federal budget. Thus, I urge the President and the Congress to continue to work toward producing a final bill that does not tell OMB and CBO how much it costs, and which incorporates provisions that will protect our hard earned budget surplus.

TRIBUTE TO ISAAC HORN, OF THE SAN BERNARDINO CITY FIRE DEPARTMENT

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 1, 2001

Mr. BACA. Mr. Speaker, I rise to honor Isaac Horn, of the San Bernardino City Fire Department, for his selfless bravery in rescuing three fishermen, whose small boat was left adrift in the Pacific Ocean, buffeted by wind gales. Isaac and his colleague, Ben Alexander, demonstrated courage and commitment and the highest duties of their profession, in their off-duty rescue of these individuals in need.

Isaac and Ben were filming whale sharks in October for a television series in Bahia de Los Angeles, a small fishing village about 400 miles south of the Mexican border, when they were approached by a woman frantic about fishermen who were lost. The fishing boat lacked an engine, and had been swept in a wind-tossed sea. Isaac and Ben searched for the boat in their 21-foot craft, while braving a heavy windstorm with winds reaching about 50 to 60 miles per hour.

When they spotted the fishing boat, it was in immediate peril, in danger of being swept onto the treacherous shores of an island. The boat was only 150 yards away from shore. Using a 12-foot line, the firefighters were able to pull the boat to safety, in a courageous effort that took about an hour. In gratitude, the fishermen offered them money, but Isaac and Ben refused.

Mr. Speaker, Isaac is a leading firefighter in our community. He has served as a paramedic firefighter, and because of his great labors and professionalism, has been promoted to the rank of engineer. He is a very dedicated worker, one who always makes sure that citizens come first. If one ever needed a firefighter to pull someone out of a fire, Isaac would be the one. He is extremely strong, brave, and dedicated in his work. He has a sense of fun about him, even though he approaches his duties with great seriousness and duty.

Isaac and Ben's co-workers have nothing but praise for them, describing them as "dedicated," "great workers," "you couldn't find nicer people," "they do an excellent job." Their supervisors are equally laudatory, noting their deep commitment to help other people. It is not surprising that they would go out of their way to help someone when they are off duty.

Mr. Speaker, our fire fighters put themselves in harm's way, time and time again. They are