

On Thursday, June 13 the Washington Post editorial entitled *Detaining Americans* (Cont'd) addressed this issue in a very thoughtful and cogent fashion. The concluding paragraph of that editorial is an important one that deserves special emphasis:

The idea of indefinite detentions of Americans who have not been convicted of any crime is alarming under any circumstance. Without the meaningful supervision of the courts, it is a dangerous overreach of presidential power. If such a thing were happening in any other country, Americans would know exactly what to call it.

Mr. Speaker, because this is one of the most important issues now facing us—figuring out how best to defend ourselves in ways thoroughly consistent with our Constitutional values—I ask that the editorial be printed here.

[From the Washington Post, June 13, 2002]

#### DETAINING AMERICANS (CONT'D)

The Bush administration is at least candid in its description of its detention of Jose Padilla, the American citizen arrested in Chicago on suspicion of being part of an al Qaeda plot to set off a dirty bomb. "We are not interested in trying him at the moment or punishing him at the moment," said Defense Secretary Donald Rumsfeld. "We are interested in finding out what he knows." President Bush described the Brooklyn native as "a threat to the country [who] is now off the street, where he should be." If Mr. Padilla is, as Mr. Bush said, "a bad guy," then it's a relief to have him behind bars. That said, we had thought that it took more than the determination by the president that someone was a "threat to the country" before an American could simply disappear and be locked up without charge or trial or prospect of release.

The government may be right that an American citizen working with al Qaeda can be held as an enemy combatant for the duration of the war on terrorism. As a legal matter, the contention has precedent in prior conflicts, though how to apply those precedents during an undeclared war against a non-state actor when the administration itself seems to regard the conflict as never-ending is no easy question. International law permits the detention of captured enemy soldiers, even those who have committed no crimes, and it would be reckless of the government simply to release people bent on detonating dirty bombs. The question is not whether the government can detain an enemy combatant bent on doing America great harm but whether it can designate anyone it chooses as such a person without meaningful review.

The government's position would be easier to swallow were it not actively seeking to frustrate judicial review of the president's designations. When the government detains a citizen as an enemy combatant, that person must be permitted to consult with counsel and challenge the lawfulness of the detention in court. Without that, every citizen is at the mercy of presidential whim. Formally, the government recognizes that federal courts have jurisdiction to consider the legality of detentions—including military detentions—in this country. Yet in Mr. Padilla's case—as in that of Yaser Esam Hamdi, another detainee with likely citizenship—it has thrown procedural obstacles in the way of efforts to adjudicate detentions. After whisking Mr. Padilla to military custody in South Carolina from civilian custody in New York, it has prevented him from consulting with the lawyer who had been appointed to represent him. Similarly, the government refused to let Mr. Hamdi meet with a federal public defender interested in rep-

resenting him. And when that lawyer sought to file a case on his behalf anyway, the government then contended in a Kafkaesque twist that, having had no prior relationship with Mr. Hamdi, the lawyer could not do so.

The idea of indefinite detentions of Americans who have not been convicted of any crime is alarming under any circumstances. Without the meaningful supervision of the courts, it is a dangerous overreach of presidential power. If such a thing were happening in any other country, Americans would know exactly what to call it.

#### TRIBUTE TO MASTER SERGEANT LES (ANDY) D. ANDERSON

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 17, 2002*

Mr. TRAFICANT. Mr. Speaker, today I would like to pay tribute to Master Sergeant Les (Andy) D. Anderson who was recently promoted to Senior Master Sergeant.

SMSgt Anderson was born 26 November 1959, in Youngstown, Ohio. He graduated from Chaney High School in 1978. He has a Bachelors Degree in Criminal Justice, Bachelors Degree in Human Resource Management, Associates Degree in Liberal Arts, and a Community College of the Air Force Degree in Instructional Technology.

SMSgt Anderson enlisted in the US Air Force in 1978, attending basic training and the Security Police Law Enforcement Academy at Lackland AFB Texas. From there he attended the Security Police Air Base Ground Defense Course at Camp Bullis, Texas. Upon graduating from there he was assigned to the 86 SPS Ramstein AFB Germany. In addition to performing duties as an installation patrolman, he worked as a Desk Sergeant. He was a first scene responder immediately after terrorists detonated a bomb at the HQ USAF building in August 1981. He returned to the United States in December 1981 and was assigned to the 3800 SPS, Maxwell AFB Alabama. While assigned to Maxwell AFB, he attended the Traffic Accident Investigation Course at Lackland and the Alabama Criminal Justice Information Center Terminal Operation Course.

He worked as a Law Enforcement Specialist until September 1983 when he retrained into Combat Arms Training and Maintenance (CATM). Upon graduation from the CATM Technical School in November 1983, he was assigned to Myrtle Beach AFB South Carolina. While assigned there he attended the MK-19 Automatic Grenade Launcher Course, M60 Specialist Course, and the Combat Rifle Course conducted at Indian Springs AFAF Nevada. He deployed to Saudi Arabia from August 1990 to March 1991 in support of Operation Desert Shield/Storm.

In September 1992 he was selected for assignment to the HQ ACC/SP staff, Langley AFB Virginia. While assigned as MAJCOM CATM Functional Manager, he managed issues for 21 subordinate bases providing oversight of 225 CATM technicians; 59 ranges; 70,464 weapons; 93,000 students, and over 34 million rounds of ammunition. He attended the Beretta Armors Course in September 1994. From September 1996 to his departure in July 1998, he worked ACC/SP issues associated with the Security, Law En-

forcement, Canine, and CATM career field merger. In June 1997, he assumed additional duties as the Superintendent, Security Forces Resources responsible for allocating and distributing \$165M worth of Security Forces equipment, including radios, vehicles, weapons, and Air Base Defense assets. He was selected by the Academy and arrived for duty with the Firearms and Tactics section in July 1998.

SMSgt Anderson's military awards and decorations include the Meritorious Service Medal (1 OLC), Air Force Commendation Medal (2 OLC), Outstanding Unit Award with Valor device (1 OLC), AF Organization Excellence Award, National Defense Service Medal, Southwest Asia Service Medal, Kuwaiti Liberal Medal (Kingdom of Saudi Arabia, Kuwaiti Liberal Medal (Kingdom of Kuwait), Navy Expert Rifle Medal, Navy Expert Pistol Medal, and the AF Expert Marksmanship Award (bronze star).

SMSgt Anderson lives in Waldorf, Maryland and has two daughters, Brittany and Ashley.

#### TRIBUTE TO MAGISTRATE JUDGE JOHN "JACK" MASON

HON. BILL LUTHER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 17, 2002*

Mr. LUTHER. Mr. Speaker, I rise today with a heavy heart to pay tribute to a most wonderful man, Magistrate Judge John "Jack" Mason, a personal friend of mine who passed away recently at the age of 63.

It has been said that no person is honored for what they receive but rather for what they give, and Jack Mason gave much during his many years in public service. A lawyer and judge, Jack had a vision and passion that served him well in his professional career. Most important, however, Jack understood that vision and passion mean nothing without love, and he spent his life earning the devotion of his family and many friends.

Jack was born in Mankato and earned a degree from Macalester College in St. Paul, where he developed a lifelong friendship with U.N. Secretary General Kofi Annan. After graduating from Harvard Law School in 1963, he worked hard as a partner and trial lawyer at Dorsey & Whitney in Minneapolis for 32 years. He took time along the way to serve as Minnesota solicitor in 1971 and state deputy attorney general from 1972 to 1973, and also served on the Minneapolis school board from 1973 to 1980.

In 1985, Jack Mason was appointed a Federal magistrate judge. His ability to speak fluent German, along with his knowledge of Italian, French, Spanish, Korean, and Arabic, made his performance of naturalization ceremonies a sight to behold. He took great pleasure from knowing that people could comfortably communicate their concerns to him in the language of their choice.

Jack is survived by his beloved wife, Vivian, as well as his daughter Kathleen, sons Peter and Michael, two brothers, and two sisters.

Mr. Speaker, looking back at Jack's life, we see a man who was dedicated to serving the public good. It is without exaggeration that I say all of us who knew him feel blessed to have been in his company. Honoring Jack Mason's memory is the least we can do today to

recognize all that he did for others during the 63 years of his life.

**SOUTHERN CALIFORNIA WILD  
HERITAGE WILDERNESS ACT IN-  
TRODUCTION**

**HON. HILDA L. SOLIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 17, 2002*

Ms. SOLIS. Mr. Speaker, I rise today to introduce the Southern California Wild Heritage Wilderness Act of 2002.

During the last 20 years, 675,000 acres of unprotected wilderness—approximately the size of Yosemite National Park—have lost their wilderness character due to activities such as logging, mining and development. We cannot let this destruction of our most precious resources continue unchecked!

This groundbreaking legislation will preserve about 1.6 million acres of Southern California wilderness for generations to come.

As a child, my family did not have the financial resources to travel to expensive, vacation spots. But my family's best memories are from family outings to the Azusa canyon in our local National Forest. This is where we learned to appreciate the world around us. We were fortunate enough to be able to travel a few miles to enjoy the great outdoors at the foothills of the Angeles National Forest.

Families like mine continue to use Federal lands to vacation, hike, swim and appreciate nature. As this relationship grows, so does our concern about the future of our precious lands. People, regardless of race or income, are overwhelmingly concerned about our natural resources.

The community I represent is 60% Latino and 30% Asian. We have one of the highest unemployment rates in the country. One might think that our main concern is putting food on the table. But with 3 Superfund sites, 17 gravel pits, and 2 rivers that resemble sewer channels, our concerns are many—and especially the environment!

My community's interest is not unusual. Studies show that 96% of Latinos believe that the environment should be an important priority for this country. And this statistic isn't just confined to Hispanics. African Americans, Native Americans, Caucasians, Asian Americans—we all care about the environment.

In the coming decades, the population of California is expected to skyrocket. In Los Angeles alone, population growth estimates predict that the number of people will at least double. According to the University of Southern California's Sustainable Cities Program, 3 to 4 acres of open or green space are needed per 1000 people for a healthy environment. In my urban area, there is less than ½ acre per 1000 people. This is a nation-wide trend.

With more people and less space, we have to start planning so that we don't look around one day and realize that all we see is concrete buildings, congested highways and smoggy cities. We have to plan for environmental preservation now so that our natural resources are not destroyed by carelessness and over-development.

The Southern California Wild Heritage Wilderness bill will put us on the right track so that our environment is not the victim of our

population but growth, a managed approach which respects communities and open space.

This bill will also give working families an opportunity to enjoy and learn about the environment. It will provide the open space needed to create a safe haven where people can get away from the city, the smog, the noise, and the daily hazards of urban life to experience nature and enjoy quality time with family and friends.

These lands also hold a lot of cultural value. This bill will protect sacred lands of California's Native American Tribes.

This bill will honor our natural resources—our forest, streams, lakes, and wildlife.

I am pleased to be a part of this effort and look forward to protecting our natural resources for generations to come.

**PRIVATIZING AIR TRAFFIC  
CONTROLLERS**

**HON. JIM MATHESON**

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 17, 2002*

Mr. MATHESON. Mr. Speaker, it is with concern that I rise to discuss the President's Executive Order to strip air traffic controllers of their inherently governmental function status.

I believe first and foremost that the greatest responsibility of the federal government is to ensure the public's safety. Taking steps toward privatizing our air traffic controllers could impede our safety efforts. Privatizing air traffic control systems has consistently proven to jeopardize air safety.

Both Great Britain and Canada have privatized their air traffic control systems and both have run into massive debts, increased costs for airlines and higher prices for consumers. The British system, that began operating only eleven months ago, is currently facing bankruptcy. Even after a government bailout of 30 million pounds, airlines are seeing burgeoning shortfalls of up to 80 million pounds.

In Canada, there are many problems with the privatized system. Canadian air traffic controllers are preparing to strike while Air Canada President Robert Milton exclaimed, "I think we have a long way to reach the levels of efficiency that exist in the US."

Mr. Speaker, why would we take steps toward privatizing America's air traffic controllers when we just decided it was more effective to make airport security screeners federal employees?

Privatizing our air traffic control system would be a terrible step backward as the Administration looks to consolidate and improve the abilities of our national homeland defense agencies.

**ALFRED GRISANTI**

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 17, 2002*

Mr. KUCINICH. Mr. Speaker, I rise to honor the memory of Alfred Grisanti who served the City of Cleveland as a member of the City Council from 1944 to 1954 and then as an ac-

tivist private citizen for many more decades. Mr. Grisanti was a fearless defender of the public interest, challenging the rationale of an urban renewal program years before its collapse. He was a visionary who understood that the best intentions of government had to be followed up by serious planning. The Urban renewal program in Cleveland in the 1950s moved tens of thousands of city residents out of their inner-city housing and gave the land to institutional and private interests. There was no program for relocation of residents, who were often forced into tenement districts where living conditions were intolerable; poor housing, poor health care, segregated schools. Mr. Grisanti waged a long and lonely challenge to the program on behalf of the dispossessed and small businesses. Years later was proven to have been right, as the urban renewal program of the 1950s became part of the civil rights disasters of the 1960s.

Mr. Speaker, Alfred Grisanti brought a fighting spirit into city politics. He was a member of one of the most famous college football teams in American history, the Fighting Irish of Notre Dame, under legendary coach Knute Rockne. He was a reserve end on Notre Dame's national championship teams of 1929 and 1930. He graduated from Notre Dame in 1931, with a degree in economics. He later earned a law degree from Western Reserve School of Law. In 1948 he was a delegate to the Democratic National Convention. Mr. Grisanti often used football analogies in his legal and political discussions. His love of football, the law and politics continued throughout his life and his friendships spanned all three fields from one end of America to the other.

Mr. Speaker, it is appropriate that this United States House of Representatives pay tribute to the memory of Mr. Alfred C. Grisanti. True to the fight song of his Alma Mater, 'Down through the years, he has re-echoed the cheers, and through his efforts brought fame' to Notre Dame, to his profession, to his city and to his own family name.

**EXECUTIVE ORDER ISSUED BY  
PRESIDENT BUSH**

**HON. JERRY F. COSTELLO**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 17, 2002*

Mr. COSTELLO. Mr. Speaker, I rise today in opposition to the Executive Order issued by President Bush that stated that air traffic control is no longer an inherently governmental function. I am deeply concerned that this is the first step in an unwise attempt to privatize our nation's air traffic control system. As we are considering consolidating federal agencies into the Department of Homeland Security, I believe it is unadvisable to make changes to successful federal organizations.

Our nation has the best air traffic control system in the world. The professionalism of our air traffic controllers allowed for the rapid and safe clearing of American airspace after the events of the 11th. It seems to me that given the recent terrorist attacks and on-going threats to homeland security, it is imperative that we maintain our current system of air traffic controllers, who have done such a good job of keeping our air space safe.