

procedures, partial-birth abortion remains a disfavored procedure that is not only unnecessary to preserve the health of the mother, but in fact poses serious risks to the long-term health of women and in some circumstances, their lives. It is also a medical fact that the unborn infants aborted in this manner are alive until the end of the procedure and fully experience the pain associated with the procedure. As a result, at least 27 states banned the procedure, as did the United States Congress which voted to ban the procedure during the 104th, 105th, and 106th Congresses. Unfortunately, the two federal bans that reached President Clinton's desk were promptly vetoed. Although the House of Representatives overrode both Presidential vetoes, the Senate failed to do so.

Then, two years ago in *Stenberg v. Carhart*, the United States Supreme Court struck down Nebraska's partial-birth abortion ban as an "undue burden" on women seeking abortions because it failed to include an exception for partial-birth abortions deemed necessary to preserve the "health" of the mother. Thus the Court essentially rendered null and void the reasoned factual findings and policy determinations of at least 27 state legislatures that this gruesome, inhumane, and dangerous procedure should be banned.

The *Stenberg* Court based its conclusion "that significant medical authority supports the proposition that in some circumstances, [partial birth abortion] would be the safest procedure" on the trial court's factual findings regarding the relative health and safety benefits of partial-birth abortions—findings which were highly disputed. Yet, because of the highly deferential "clearly erroneous" standard of appellate review applied to lower court factual findings, the *Stenberg* Court was required to accept these questionable trial court findings.

Those factual findings are inconsistent with the overwhelming weight of authority regarding the safety and medical necessity of the partial-birth abortion procedure—including evidence received during extensive legislative hearings during the 104th and 105th Congresses—which indicates that a partial-birth abortion is never medically necessary to preserve the health of a woman, poses serious risks to a woman's health, and lies outside the standard of medical care. In fact, a prominent medical association has concluded that partial-birth abortion is "not an accepted medical practice," and that it has "never been subject to even a minimal amount of the normal medical practice development." Thus, there exists substantial record evidence upon which Congress may conclude that the "Partial-Birth Abortion Ban Act of 2002" should not contain a so-called "health" exception, because to do so would place the health of the very women the exception seeks to serve in jeopardy by allowing a medically unproven and dangerous procedure to go unregulated.

Although the Supreme Court in *Stenberg* was obligated to accept the district court's findings regarding the relative health and safety benefits of a partial-birth abortion due to the applicable standard of appellate review, Congress possesses an independent constitutional authority upon which it may reach findings of fact that contradict those of the trial court. Under well-settled Supreme Court jurisprudence, these congressional findings will be entitled to great deference by the federal judiciary in ruling on the constitutionality of a par-

tial-birth abortion ban. Thus, the first section of the "Partial-Birth Abortion Ban Act of 2002" contains Congress's factual findings that, based upon extensive medical evidence compiled during congressional hearings, a partial-birth abortion is never necessary to preserve the health of a woman.

The "Partial-Birth Abortion Ban Act of 2002" does not question the Supreme Court's authority to interpret *Roe v. Wade* and *Planned Parenthood v. Casey*. Rather, it challenges the factual conclusion that a partial-birth abortion may, in some circumstances, be the safest abortion procedure for some women. The "Partial-Birth Abortion Ban Act of 2002" also responds to the *Stenberg* Court's second holding, that Nebraska's law placed an undue burden on women seeking abortions because its definition of a "partial-birth abortion" could be construed to ban not only partial-birth abortions (also known as "D & X" abortions), but also the most common second trimester abortion procedure, dilation and evacuation or "D & E." The "Partial-Birth Abortion Ban Act of 2002" includes a new definition of a partial-birth abortion that clearly and precisely confines the prohibited procedure to a D & X abortion.

Despite overwhelming support from the public, past efforts to ban partial-birth abortion were blocked by President Clinton. Now, we have a President who is equally committed to the sanctity of life, a President who has promised to stand with Congress in its efforts to ban this barbaric and dangerous procedure. It is time for Congress to end the national tragedy of partial-birth abortion and protect the lives of these helpless, defenseless, little babies.

CONDEMNATION OF THE USE OF TERROR AGAINST INNOCENT ISRAELI CIVILIANS

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. KNOLLENBERG. Mr. Speaker, I rise today to express my condolences to the families of the 20 victims in yesterday's bus bombing in Israel, and to add my voice to the calls of condemnation against the continued use of terror as a weapon against innocent Israeli civilians. Horribly, yesterday's attack again included the targeting of children, from high school students to 10-year-olds.

On September 11, 2001, Americans faced the horror of terrorism in a way we never faced it before. Now, we live in fear knowing terrorist networks throughout the world are actively seeking to attack our country again to kill Americans. In order to protect America, and our allies, we launched the global war on terrorism. The use of terror as a weapon must be opposed and fought against, in the Middle East, in Asia, in South America, and throughout the world. As the leader in the war on terrorism, we cannot afford to falter.

However, in the Middle East, Israel is a victim of terrorist attacks every week. Sadly, yesterday's attack was only the latest in a continual effort by Palestinian terrorists to kill Israeli civilians, including children. The intent of these attacks is clear: to instill fear and terror within the Israeli people. Now every deci-

sion an Israeli makes—whether to go to a restaurant, whether to go to school, or whether to get on a bus—can be a life or death choice. In response, Israel, like America, has taken action to defend itself.

The United States is the world's defender of democracy and freedom. And Israel is the only democracy in a part of the world that has known no other democracy. Together we stand for the principle of freedom and the right to live in peace without the threat of terrorist attack. And we stand together in the fight against terrorism. America has asked the world to join us in the fight against terrorism. Israel is on the front lines. We must continue to support Israel, financially, diplomatically, and by whatever means are necessary.

Throughout my career in Congress I've been a supporter of the peace process and strengthening the relationships with our allies in the Middle East. For the last eight years I've been a member of the Appropriations Subcommittee on Foreign Operations. In my position on the Committee I've strongly advocated for military and economic assistance to Israel, our principal ally in the region, to help keep it strong and prevent an attack by its neighbors. I've also supported funding for Egypt and Jordan, which is a direct result of peace agreements these countries have signed with Israel. And I've supported humanitarian assistance to the people of Lebanon, the West Bank, and Gaza, through non-governmental organizations, to help bring greater stability to those areas.

But no amount of funding can bring what is now necessary for progress in the Middle East: an end to Palestinian terrorism. No nation can negotiate with terrorists and no terrorist can be rewarded.

Despite the commitments Yasser Arafat has made to fight against terror, his actions have not met his words. Time and time again he's passed up opportunities, betraying the people he's supposed to lead. Arafat is either unwilling or incapable of bringing an end to terrorist attacks against Israel.

Mr. Speaker, I support a two-state solution to the Israeli-Palestinian conflict, and I support greater dignity for the Palestinian people. But I do not support the creation of a state that either supports or enables the use of terror as a weapon. Before the United States recognizes the creation of a Palestinian state, we must have the assurance that the leader of that state will do everything in their power to consistently, unambiguously, and effectively fight against terrorism. Without that assurance, we may only be increasing the likelihood of more horrific attacks like the one yesterday in Israel.

PAYING TRIBUTE TO BILL DUNHAM

HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. MCINNIS. Mr. Speaker, it is with a profound sense of gratitude that I pay tribute to Bill Dunham as he concludes his service to the people of Meeker, Colorado after six years as their mayor. Bill's devotion to his neighbors and love for the town in which he was born has served as a shining example of the selfless nature that is indicative of a true public servant.

Bill left Meeker to attend Colorado State University, returning with his wife Diane (Franklin) Dunham to raise their two children. He has been active in serving the people of his hometown ever since, spending the last thirteen years as a member of the Town Council. Bill is also a Water Commissioner for the State of Colorado, as well as a past president of the Farm Bureau and Stock Growers Association.

During his time as Mayor, Bill led Meeker through a series of improvement projects including major renovations to the Sulphur Creek drainage way, the replacement of the 10th Street Bridge, and the acquisition of a new building to serve as Town Hall. However, Bill's term as Mayor will be remembered not only for the physical improvements he made to the Town of Meeker, but also for the devotion he so evidently had for the community. That devotion was rewarded when he was chosen to represent Meeker in his capacity as Chairman for Associated Governments of Northwestern Colorado.

Mr. Speaker, it is my honor to bring to the attention of this body of Congress a man whose love for his hometown, and whose willingness to sacrifice in its service is an inspiration to those who have lived in his community. As a public servant, Bill Dunham's time on the Town Council, including his six years as Mayor, has been an inspirational example to those of us who serve our nation in elective office. It is with gratitude for his time of service to Meeker that I recognize Bill Dunham's ongoing devotion to the people and town that he loves.

TRIBUTE TO MS. LOUELLA C.
ALLEN

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. THOMPSON of Mississippi. Mr. Speaker, I stand today to pay tribute to Ms. Louella C. Allen, a native of Canton, MS. Ms. Allen has done numerous deeds for her community and still continues today.

Ms. Allen has been a dedicated teacher at Linwood Schools (Yazoo County) for more than 13 years and has served diligently for the betterment of ones around her and also her community. Ms. Allen is an active member of the Mount Olive Missionary Baptist Church where she serves as Youth Department Director. She is also an active participant in her church's choir.

Ms. Allen is a good mother, who is greatly admired by her children, peers, and coworkers. Ms. Allen is truly the epitome for what a "role model" should be. She serve in such capacities which consist of leader, advisor, guide, and inspirer. She has and always will touch the lives of the people around her.

Ms. Allen is the driving force for the successful paths of many citizens in my District. She should truly be thanked. Her strength and leadership have been the main reason why this single mother's children have done as well as they have. Her early teachings gave her daughter the will and determination to receive her Masters from the Alcorn State University in Administration, and her oldest son, the sound mind to finish his Bachelors Degree in

Computer Networking and her youngest, the insight to become an intern in my Washington office who will attend The University of Southern Mississippi.

REVEALING "DEMAGOGUERY-BY-
NUMBERS"

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. BEREUTER. Mr. Speaker, this Member wishes to commend to his colleagues an editorial from the June 18, 2002, edition of the Omaha World Herald entitled "Honest Accounting of Casualties."

While Americans certainly have the right to express their views on the current war on terrorism, they also have a responsibility to use accurate facts when conveying their positions.

HONEST ACCOUNTING OF CASUALTIES

The Los Angeles Times has performed an extensive study of civilian casualties in Afghanistan and concluded that the dead numbered between 1,067 and 1,201. Every such death is uniquely regrettable, but that's significantly below numbers offered by critics of the U.S. military action last year, such as the 3,700 figure cited in one much-ballyhooed report last winter.

During the U.S. bombing campaign, at least one anti-war Web site included a graph that showed the alleged number of Afghan civilian dead climbing day by day to equal and then surpass the 3,000-plus casualties of 9/11. Analyses by the L.A. Times and other news organizations have now exposed that claim as baseless.

Even worse was the claim of 10,000 casualties put forward by cartoonist/commentator Ted Rall in an April 17 opinion column.

Matt Welch, a Los Angeles-based commentator, is on the mark when he says, "This continues to be an interesting litmus test for the anti-war movement's sense of peer review and fidelity to facts."

The analysis by the Los Angeles Times underscores how the U.S. military went to enormous lengths last year to minimize harm to Afghan civilians. That fact illustrates the vast moral difference that separated the American bomber pilots from the al-Qaida hijackers of 9/11.

A minority of Nebraskans and Americans continues to voice sincere opposition to action by the U.S. military. Room should be made for their dissenting voices. Some of their colleagues in the anti-war camp, however, have discredited themselves on the issue of civilian casualties. It is appropriate that their demagoguery-by-numbers has been revealed for the sham it was.

RECOGNITION OF KYRIN
CHRISTIAN RUTH

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. ROGERS of Michigan. Mr. Speaker, today I rise in recognition of Kyrin Christian Ruth of Fenton, Michigan. This young boy demonstrated incredible courage and maturity by taking charge in a crucial moment of emergency, thereby saving the life of his father, Jeffrey A. Ruth.

On the evening of April 5, 2002, Jeffrey A. Ruth suffered a seizure caused by the disorder status epilepticus. Seven year-old Kyrin heard his father's fall from the other room and rushed to his side. Following the procedure taught to him in case of this emergency, Kyrin called 911 and provided them with all of the information necessary to send a response team to the house. As Jeffrey was rushed to the hospital, Kyrin told the police that he and his 5-year old sister could stay with friends across the street until their mother arrived home. Kyrin continued to show amazing presence of mind by calmly phoning their mother who was out of town, and informing her of the evening's events.

Kyrin Ruth is truly an example for all of our young people. His parents prepared him for an emergency, and their training clearly made a difference. I commend Kyrin Christian Ruth of Fenton, Michigan for all of his courage and presence of mind, and call on my colleagues to do the same.

HONORING JUANITA CANNON

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2002

Mr. DUNCAN. Mr. Speaker, Knoxville's "hugging principal" has retired.

One of our leading educators, Juanita Cannon, has retired after 40 years of outstanding work with young people.

Mrs. Cannon was a teacher for 26 years before becoming a principal.

She taught health, physical education, sociology, and biology and coached tap dancers, cheerleaders, and girls basketball and volleyball teams.

She became known as the "hugging principal" because no one, parents, students, teachers, came to her school without getting a hug.

She could have retired five years ago, but she chose instead to take on one of the toughest assignments in the Knox County School System.

She became principal of the Transition School, overseeing students who had been in criminal trouble or who had been determined to be unruly and out-of-control at other schools.

She said: "When someone would ask me if I worked with criminals, I would say 'Excuse me. I work with young men who made a bad choice. They just got caught. They served their time.'"

She is a woman who knows there is some good even in the worst people and she worked to try to bring out the best in everyone.

Knoxville City Councilman Raleigh Wynn said: "Juanita had a way of getting along with the worst of the worst and the best of the best. She didn't show partiality with people."

She jokingly referred to herself as my spouse since she used my spouse's ticket to the 1993 inauguration of President Clinton.

I want to congratulate her on her retirement and on her 40 years of service to young people.

This Nation is a better place because of the dedication and simple human kindness of Juanita Cannon.