

THE JUDICIAL IMPROVEMENTS
ACT OF 2002

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2002

Mr. COBLE. Mr. Speaker, I rise to introduce the "Judicial Improvements Act of 2002." This legislation constitutes a noncontroversial fine-tuning of an existing statute, the "Judicial Conduct and Disability Act of 1980" (the 1980 Act), which permits individuals to file complaints against federal judges for inappropriate behavior.

Mr. Speaker, the Subcommittee on Courts, the Internet, and Intellectual Property conducted an oversight hearing on the operations of federal judicial misconduct statutes on November 29, 2001. The witnesses at the hearing were united in their general praise for the Third Branch. Their respect for the federal judiciary is also shared by the members of the Subcommittee. Still, no federal entity is immune from periodic evaluation.

Consistent with our obligations to conduct oversight, the Ranking Member of the Subcommittee, Representative HOWARD BERMAN, and I are introducing this bill that will reorganize the 1980 Act by re-codifying it as a new chapter of title 28 of the U.S. Code. The legislation will also clarify the responsibilities of a circuit chief judge in making initial evaluations of a complaint. In addition, section 3 of the bill resolves an existing conflict governing recused judges and whether their votes should count in determining a majority by a circuit to sit en banc.

The changes set forth in the "Judicial Improvements Act of 2002" are largely based on procedures that the judges themselves have developed through the years. The construct for the bill, based as it is on self-regulation, indicates that Congress and the American people retain great confidence in the ability of federal judges to identify and correct misconduct among their own colleagues.

Finally, Mr. Speaker, I would be remiss if I failed to highlight the contributions of three individuals who helped to draft this bill. They are Professor Arthur Hellman of the Pittsburgh School of Law; Mike Remington, former Chief Counsel of our Subcommittee; and Sandy Strokoff of the Office of Legislative Counsel. The Subcommittee appreciates the energy, time, and talent that they invested in this project.

In closing, I urge my colleagues to support the "Judicial Improvements Act of 2002," and I thank the Speaker.

HONORING THE 70TH ANNIVERSARY OF LOCAL 318 INTERNATIONAL UNION OF OPERATING ENGINEERS

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2002

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the 70th Anniversary of Local 318, International Union of Operating Engineers in Marion, Illinois.

Local 318 has 1125 members, which represents most of southernmost Illinois. Ron Herring, who is currently the Business Manager for 318, oversees the operations of the union. For Ron, being an operating engineer is more than just a job; it is a way of life. Ron's father, who is now retired, has been a member of the union for 53 years.

Back in 1932, during the Great Depression, a construction company came to Saline County, Illinois to do drainage work on the Saline River. They hired local people, some of them out of work coal miners. Working conditions were bad. Two workers on the job, brothers Ted and Prentiss Carathurs of Indiana, encouraged local men hired for the job to apply for an Operating Engineers Charter. It took seven names to apply, and since there were only 5 local men, the five split the fee in order to include the Carathurs brothers name to make the seven names needed for the application.

Soon, others joined in and on June 1, 1932, Laborer's International Representative William "Whitey" Stuhler came to Harrisburg, Illinois and presented the Union's charter. Local 318 was born.

Local 318's first Business Manager was Arley Sheldon, the founder. He was the Local's Business Manager from June 1, 1932 to October 12, 1948. After Arley's term, 318 has had six Business Managers; Stanley Medley 1948-1965; Wardell Riggs 1965-1980; L. Dale Choate 1980-1987; Lester D. Allen 1987-1989; Bradley O. Williams 1990-1993; Anthony Ron Herring 1993-present.

Over the years, 318 has seen plenty of changes especially in equipment. From the days of mules pulling scrapers to the use of modern computerized systems in dozers, cranes and trucks. They have come from the days of Bloody Williamson County when the UMW was battling for workers' rights from 1949 through 1959 when this country was almost 85% union. 318 met in local kitchens, halls and rooms throughout southern Illinois. They participate in hundreds of projects across the southern portion of the state. Local 318's service area has been 100% union and continues to be under 318's leadership.

From the first project in the 30's on the Saline River, flood aid assistance in Harrisburg in 1937, construction of the Illinois Ordnance plant, the "Big Inch" pipeline project, the Joppa Power Plant, construction of Interstates 57, 24, and 64, the Dog Island Dam project and cleanup work at Crab Orchard, Local 318 has continued to provide quality work.

Founded in 1896, the International Union of Operating Engineers today has 400,000 members nationwide in some 170 local unions. It is the 12th largest union in the AFL-CIO. Further, nearly 100 apprenticeships and training programs ensure that union members are highly trained and highly skilled. The union offers employment and training opportunities to all.

Local 318, like other Building Trades, are involved in many community activities and educational programs for children. 318 has a program that begins introducing students, even at the grade school level, to the trade in hopes that they develop another dedicated operator prepared to assist southern Illinois. It was the first labor union in Illinois to take this step.

Mr. Speaker, I ask my colleagues to join me in honoring the 70th Anniversary of Local 318 of the International Union of Operating Engi-

neers and wish their members and their families the very best for the future.

CONGRATULATING AMANDA
NETZEL

HON. JOSEPH M. HOFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2002

Mr. HOFFEL. Mr. Speaker, I rise today to congratulate Amanda Wetzel, who was recently named a George Mitchell Scholarship recipient for 2002-2003. Amanda was 1 of only 12 scholars nationwide selected for this prestigious award. The scholarship will include a year of postgraduate study in Northern Ireland.

The George Mitchell Scholarship is awarded to American students who have demonstrated the highest standards of academic excellence, leadership, and community service. Since its inception in 1998, the Mitchell scholarship is recognized among the most prestigious fellowships for international study. The program is named in honor of former Senator George J. Mitchell and is administered by the United States-Ireland Alliance, a nonprofit organization based in Washington, DC.

In May, Amanda will receive her bachelor's degree in International Politics from Penn State University. While attending Penn State, Amanda has served as director of the Innovation and Quality Team Program at the Schreyer Institute for Innovative Learning. She directed groups who provided feedback and policy based recommendations to improve meaningful teaming in Penn State classes. She also interned at the U.S. Consulate in Belfast and as intern in the European Affairs Bureau at the State Department.

Amanda is a hard-working, dedicated student and American. I am pleased to have this opportunity to recognize Amanda Wetzel for her commitment and achievement.

PERSONAL EXPLANATION

HON. LUCILE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2002

Ms. ROYBAL-ALLARD. Mr. Speaker, due to the California State primary on March 5, 2002, I was in my congressional district and unable to be present for rollcall votes 47-50. Had I been present I would have voted "yea" on rollcall votes 47, 48, and 50; and "nay" on rollcall vote 49.

RECOGNIZING CIVIL AIR PATROL
FOR 60 YEARS OF SERVICE TO
UNITED STATES

SPEECH OF

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. BARR of Georgia. Mr. Speaker, I am pleased to rise in support of H. Con. Res. 311, recognizing the Civil Air Patrol for 60 years of service to the United States.

The Civil Air Patrol has been involved in air-borne and ground-based search and rescue for over half a century. Founded on December 1, 1941, to counter the threat of enemy submarines operating off the east coast, the Civil Air Patrol has evolved into a highly trained emergency response team of volunteer members, responding to needs of emergency preparedness agencies throughout the nation.

With more than 53,000 members, CAP manages the world's largest fleet of light, single-engine aircraft—totaling 530—which fly more than 85 percent of inland search and rescue missions.

The Civil Air Patrol also aggressively and heroically performs its other two missions mandated by the Congress: Aerospace Education and Cadet Programs. In fulfilling these missions, the CAP serves as an important liaison between today's planners of our Nation's air strength and tomorrow's pilots and air navigators.

Not only does the CAP fulfill all these missions, it also provides disaster relief services, and assists in humanitarian services and counterdrug efforts; CAP also performs many other missions in direct support of the U.S. Air Force. Many CAP members serve as aerospace education instructors, ground team members, and observers during search and rescue missions. They also serve as radio operators, mission coordinators, public affairs officers, and cadet mentors. To prepare volunteers to serve their communities, CAP provides training in 20 different specialty tracks, including technical instruction in flight operations, emergency services, and communications. In addition, members can participate in management and executive leadership training that complements Air Force professional development.

The Civil Air Patrol is structured around the core values of Integrity, Volunteer Service, Excellence, and Respect. The core values reflected in all CAP members exemplify the highest standards of personal and professional conduct.

I am proud to represent a number of squadrons, which make up the Civil Air Patrol Wing of Georgia, including: the Georgia State Legislative and the Georgia Wing Headquarters Composite Squadron which flies out of Dobbs Air Reserve Base; the Bartow-Etowah Composite Squadron; the Rome Composite Squadron; the Cobb County Composite Squadron; the West Georgia Composite Squadron; and the Gwinnett County Composite Squadron. I am proud to recognize all of them for their efforts, and I commend them for their generosity and concern for others. They reflect the commitment to voluntary community service essential in solving our nation's most pressing problems. By reaching out to those in need, they set an outstanding example to all Americans; especially our young people.

EXPRESSING SUPPORT FOR DEMOCRATICALLY ELECTED GOVERNMENT OF COLOMBIA AND ITS EFFORTS TO COUNTER THREATS FROM U.S.-DESIGNATED FOREIGN TERRORIST ORGANIZATIONS

SPEECH OF

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Ms. BALDWIN. Mr. Speaker, I rise in opposition to H. Res. 358. We are all deeply troubled by the ongoing civil war in Colombia. Efforts to attain a peace agreement have not been successful so far, but the recent setbacks to the peace process do not change the fundamental nature of the conflict and should not result in a rush to radically revise U.S. policy.

This conflict did not arise from drug trafficking. It is a forty-year-old conflict stemming from fundamental economic, political and social tensions in Colombia. All parties have been implicated in drug trafficking. And all parties have been responsible for serious and repeated human rights abuses. The Revolutionary Armed Forces of Colombia (known by their Spanish acronym FARC), the United Self-Defense Forces of Colombia (AUC), and the National Liberation Army (ELN) have all contributed to the murder, kidnapping and extortion now endemic in Colombia. This Congress is clearly on record condemning these actions.

While Congress and the United States have condemned the revolutionaries, the paramilitaries and the Colombian government for human rights abuses, we have been very careful to avoid becoming entangled in the Colombian civil war. As a very large and geographically diverse country, military action in Colombia is quite difficult and could easily drag our nation into a quagmire like Vietnam. We have wisely recognized this risk and have limited military assistance to anti-narcotic activities.

In addition to limiting the use of U.S. military assistance to anti-drug efforts, Congress has taken numerous steps to try to break the links between the Colombian military and the paramilitary forces of the AUC. U.S. and Colombian non-governmental organizations have clearly and definitively documented significant and ongoing collaboration between the paramilitaries and the Colombian military. Paramilitary violence has increased even as the record of the Colombian military has improved. Most estimates indicated the paramilitaries commit more than 75% of the non-combatant killings.

The resolution under consideration by the House states that the "Colombian Government has made progress in its efforts to combat and capture members of illegal paramilitary organizations and taken positive steps to break links between individual members of the security forces and such organizations." Well, saying it does not make it so. This simply isn't the reality. A report last month from Human Rights Watch (HRW), Amnesty International (AI) and the Washington Office on Latin America (WOLA) concluded exactly the opposite. Their report noted that President Pastrana has "failed to take effective action to establish control over the security forces and break the per-

sistent ties to paramilitary groups." The report further noted that high-ranking officers "failed to take steps necessary to prevent killings by suspending security force members suspected of abuses, ensuring that their cases were handed over to civilian judicial authorities for investigation and prosecution, and pursuing and arresting paramilitary leaders." Despite our efforts, we have not seen any significant progress.

As part of the FY02 Foreign Operations Appropriations bill, signed by the President on January 10, 2002 (Public Law 107-115), the Secretary of State must certify that Colombia has met certain human rights conditions in order for aid to be released (Section 567). According to the HRW, AI and WOLA report, the conditions required for certification have not been met. I am very concerned that approval of this resolution by the House will be a signal to the Colombian Government and the U.S. Secretary of State that we believe these conditions have been met. I do not believe that they have been and certification should not take place at this time.

Rushing this resolution to the floor is unnecessary and a mistake. As my colleague from Massachusetts, Mr. Delahunt, has said, we need to have comprehensive hearings on Colombia. Using the war on terrorism to justify leaping into a forty-year-old civil war with little debate or consideration is the wrong thing to do. We must step back and evaluate our policy toward Colombia. The United States has become embroiled in civil wars in the past, and we've come to regret those actions. Let's not let that happen with Colombia.

TRIBUTE TO E. L. "BERT" POOSER

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2002

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to E. L. "Bert" Pooser, of South Carolina, a renowned man and respected leader of hotel development and management throughout the southeastern United States.

Mr. Pooser grew up in Orangeburg, SC, during the 1940s where he learned the value and need of hard work at an early age. He invested in his first hotel at the age of 28. Since then, his hotel empire has expanded to 33 hotels throughout six southeastern States. Many in the industry consider him a hotel giant.

Currently, Mr. Pooser is president and CEO of Interstate Management and Investment Corporation (IMIC) hotels. Mr. Pooser's company includes 1,500 employees that handle all aspects of the business from sales and marketing, to a design and property management team. IMIC assets include Sheraton Hotels, Hampton Inns, Comfort Inns, and Quality Suites. Throughout IMIC's 20 years of existence, they have purchased or built nearly 40 hotels. This past year, Mr. Pooser's firm opened two more hotels in Myrtle Beach, SC.

Mr. Pooser has received numerous awards during his building career. The University of South Carolina's School of Hotel, Restaurant and Tourism Management has honored him as the Hospitality Leader of the Year. Today, at 63, Mr. Pooser has no plans for retirement anytime soon.

Mr. Speaker, I ask you and my colleagues to join me today in honoring Mr. E. L. "Bert"