

be delegated to their assistants, relatives, or descendants.

Mr. Speaker, I request that a summary of the Presidential Records Act Amendments of 2002 be placed in the CONGRESSIONAL RECORD.

#### THE PRESIDENTIAL RECORDS ACT AMENDMENTS OF 2002 SUMMARY

The Presidential Records Act Amendments of 2002 establishes statutory procedures to govern the assertion of executive privilege claims by a former or incumbent President over records covered by the Presidential Records Act. It preserves the constitutional right of a former or incumbent President to assert privilege claims, but does so in a way that complies with the framework and intent of the Presidential Records Act. It supersedes the procedures established in Executive Order 13233.

The bill requires the Archivist to provide advance notice of 20 working days to the former and incumbent Presidents before releasing presidential records in accordance with the provisions of the Act. The Archivist would release the records upon the expiration of this 20-day period, except any records (or parts of records) for which the former or incumbent President asserts a claim of privilege.

The Archivist could extend the 20-day period for an additional 20 days if the former or incumbent President demonstrated a need for additional time to review the records. Additional time should rarely be needed. The former and incumbent Presidents have access to the records and could conduct their reviews well before the time the records are ready for public release. The Archivist also would have thoroughly categorized and screened the records before a notice is issued, which should greatly facilitate reviews by the former and incumbent Presidents.

The bill requires that any claim of privilege be in writing and signed by the former or incumbent President, specify the records to which it applies, and state the nature and grounds of the privilege claim. Notices of the proposed release of records, as well as any privilege claims, would be made public.

If the former President submitted a privilege claim, the Archivist would withhold the records covered by that claim for another 20 working days. This would permit the former President to seek judicial enforcement of his privilege claim, as already provided for in the Presidential Records Act. After expiration of this 20-day period, the Archivist would release the records unless a court ordered their continued withholding. This approach places the burden of establishing a privilege claim on the former President. Privilege claims should be extremely rare, given the protections already built into the Act and the age of the records.

If the incumbent President submitted a privilege claim, the Archivist would withhold the records unless and until the incumbent President withdrew the claim or there was a final, non-appealable court order directing the Archivist to release the records. This approach recognizes the legal and practical reality that the Archivist must honor a privilege claim by an incumbent President.

The bill would apply similar procedures to requests for access to records by Congress and the courts. The time periods, however, would be modified to ensure compliance with deadlines imposed by subpoenas or other legal process. Also, the bill does not specify an outcome if the incumbent President claimed privilege in response to a congressional or judicial access request. Disputes between the incumbent president and either the Congress or the courts would be left for resolution on a case-by-case basis.

The bill makes several conforming changes to existing provisions of the Presidential Records Act. It recognizes that authority to claim executive privilege is personal to a former or incumbent President and cannot be delegated to their representatives. This is consistent with current legal theory and practice concerning executive privilege. It also recognizes that a former or incumbent Vice President cannot claim presidential privileges.

Finally, the bill provides that Executive Order 13233 shall have no force or effect.

#### AMERICAN SERVICEMEMBER AND CIVILIAN PROTECTION ACT OF 2002

#### HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 11, 2002*

Mr. PAUL. Mr. Speaker, I rise today to introduce the "American Servicemember and Civilian Protection Act of 2002."

This bill expresses the sense of the Congress that President Bush should formally rescind the signature approving the International Criminal Court made on behalf of the United States, and should take necessary steps to prevent the establishment of that Court. It also prohibits funds made available by the United States Government from being used for the establishment or operation of the Court.

Perhaps the most significant part of the bill makes clear that any action taken by or on behalf of the Court against members of the United States Armed Forces shall be considered an act of aggression against the United States; and that any action taken by or on behalf of the Court against a United States citizen or national shall be considered an offense against the law of nations.

Mr. Speaker, today in New York and Rome celebrations are underway to mark the formal establishment of this International Criminal Court. Though the United States has not ratified the treaty establishing the Court, as required by the U.S. Constitution, this body will claim jurisdiction over every American citizen—military personnel and civilian alike.

The Court itself, however, is an illegitimate body even by the United Nations' own standards. The Statute of the International Criminal Court was enacted by a Conference of Diplomats convened by the United Nations General Assembly, whereas according to the UN Charter, the authority to create such a body lies only in the UN Security Council.

The International Criminal Court was established contrary to the American Declaration of Independence and the Constitution of the United States. It puts United States citizens in jeopardy of unlawful and unconstitutional criminal prosecution.

The International Criminal Court does not provide many of the Constitutional protections guaranteed every American citizen, including the right to trial by jury, the right to face your accuser, and the presumption of innocence, and the protection against double jeopardy.

Members of the United States Armed Forces are particularly at risk for politically motivated arrests, prosecutions, fines, and imprisonment for acts engaged in for the protection of the United States. These are the same brave men and women who place their lives on the line to protect and defend our Constitu-

tion. Do they not deserve the full protections of that same Constitution?

Mr. Speaker, I hope all members of this body will join me in opposing this illegitimate and illegal court by co-sponsoring the "American Servicemember and Civilian Protection Act of 2002."

#### ARMAC

#### HON. JOHNNY ISAKSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 11, 2002*

Mr. ISAKSON. Mr. Speaker, it is my distinct pleasure to recognize the Atlanta Regional Military Affairs Council (ARMAC) on the occasion of their 50th year of serving the people of Georgia.

The Atlanta Regional Military Affairs Council was created to foster partnerships, education and a strong working relationship between the business and military communities in the Atlanta area. ARMAC was founded 50 years ago and works closely with each of the military branches. The Atlanta area is rich with military history and structure with its bases: NAS-Atlanta, Dobbins ARB, Fort McPherson and Fort Gillem. Additionally, the Atlanta area hosts reserve units of the Coast Guard and National Guard. The ARMAC executive committee consists of representatives from every major command in the Atlanta area.

ARMAC was founded as a partnership with the Atlanta Chamber of Commerce. In 1999, largely due to the Cobb County Chamber of Commerces' extraordinary support of the Military, ARMAC found a new home with the Cobb County Chamber of Commerce.

Mr. Speaker, as the Atlanta Regional Military Affairs Council begins its 50th year of service to the military and business communities in Atlanta, it is highly appropriate to recognize their efforts over the past 50 years, and wish them well as they begin their next 50 years of service to the people of Georgia.

#### HONORING SERGEANT DAVID WURTZ

#### HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 11, 2002*

Mr. CROWLEY. Mr. Speaker, I rise today to pay tribute to Army Sergeant David Wurtz, a brave man who is not just a hometown hero to his neighbors in College Point, minutes from Ground Zero in New York City, he is also a true American hero. Our nation owes Sergeant Wurtz a debt of gratitude for being among the first fearless U.S. soldiers on the ground fighting Al-Qaeda forces in Afghanistan. That patriotic duty came at a price, and Sergeant Wurtz was awarded the Purple Heart after returning from battle injured.

David Wurtz was born to Clem and Joan Wurtz in College Point 25 years ago, and is a proud hometown boy. He attended Flushing High School and Bleeker Junior High. His mother Joan describes young David as shy, but always a good student. He gave his parents a scare when one day, at age 17, he missed dinner, something he never did. After

much worrying by his parents, he later returned safe and sound—and enlisted in the U.S. Army's delayed entry program. At age 18, Mr. Wurtz was assigned in Hawaii. He quickly moved up the ranks and moved to the 10th Mountain Division at Fort Drum in upstate New York. Then came September 11, 2001.

After watching the horror of the terrorist attacks unfold on his television from Fort Drum, he had no idea that a short time later, he would be fighting terrorists in Afghanistan to protect his hometown and all of America from future terrorist attacks.

Between late September and March 1st, Sgt. Wurtz found himself in various staging and combat situations, leading up to his involvement in Operation Anaconda. The 10th Mountain Division was positioned on a mountain in Afghanistan in the morning hours of March 2nd and immediately became engaged in a 16-hour fire fight with enemy forces.

Shortly into the battle, Sgt. Wurtz was struck by a mortar shell, injuring his right foot. Minutes after the initial hit, the wounded Wurtz was hurt again, a mortar shell hitting his right kneecap. As he was being carried off the battlefield by medics, a photographer took his picture—a photo that appeared on front page of the March 8th New York Daily News. While he received medical attention in the field, because of the fierce fighting, Sgt. Wurtz and about 40 other injured soldiers were forced to endure the danger of intense fighting and freezing temperatures, because helicopters were unable to airlift them until nightfall.

After a series of operations and hospital stays overseas, Sgt. Wurtz arrived at Walter Reed Hospital in Washington, DC on March 9th to very grateful family members: his parents Clem and Joan, brothers Chris and Daniel, aunt and uncle Judy and Lenny Crawford, cousins Peggy Crawford and Brianne Pawson, and sister-in-law Danielle Auletta. While in Washington, he was presented with the Purple Heart and visits from U.S. Generals and visits from Members of Congress.

On March 18th, Sgt. Wurtz returned to New York City and his College Point neighborhood where he has been greeted and thanked by many appreciative friends, neighbors and local leaders. Despite his injuries, he is eager to report back to Fort Drum and is willing to return to Afghanistan if he is so ordered.

Although Sgt. Wurtz would disagree with the label, Mr. Speaker, please join me in honoring him as the hero he is. Sgt. David Wurtz's courageous service on behalf of this country is the reason our Armed Forces ensure that we remain the land of the free and the home of the brave.

#### A TRIBUTE TO KVPT VALLEY PUBLIC TELEVISION ON ITS SILVER ANNIVERSARY

#### HON. CALVIN M. DOOLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 11, 2002*

Mr. DOOLEY of California. Mr. Speaker, I rise today to celebrate the twenty-fifth anniversary of KVPT Valley Public Television, which has made a significant contribution to the educational advancement of many people in my district. KVPT provides the Central San Joaquin Valley with quality PBS programs includ-

ing Antiques Roadshow, Masterpiece Theater, and Sesame Street. Beyond that, Valley Public Television produces local programming such as Valley Press and Jobs, which broadcasts valuable local news and information about agriculture, employment, cultural events, and politics.

Throughout the past 25 years, community support has been an integral part of Valley Public Television. Through financial support, volunteering, and technical advice, Central Valley residents have maintained the station's quality alternative programming. Without the assistance and generosity of local residents, KVPT could not have sustained the inspirational and educational programming that has contributed so much to the people of my district.

Valley Public Television plays an important role in expanding educational opportunities for the Valley. It offers GED courses and has formed partnerships with local community colleges. These partnerships have resulted in the formation of on-air college courses that viewers can take for credit. KVPT also offers "Ready to Learn" workshops, which teaches parents, caregivers and teachers in a seven county region how to utilize KVPT's children's programming as an educational tool to help children get ready to learn before they enter the school system.

Under the leadership of its General Manager, Colin Dougherty, Valley Public Television has been a leader in Central Valley broadcasting for a quarter of a century. Mr. Dougherty has been with KVPT since its inception in 1977. His work has been an important part of Valley Public Television's success. I commend Mr. Dougherty on his work over the years.

Mr. Speaker, I ask my colleagues to join me today in congratulating Valley Public Television on their twenty-five years serving the residents of the Central Valley.

#### CONGRATULATIONS TO REVEREND CRAIG D. MCDANIEL

#### HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 11, 2002*

Mr. PAYNE. Mr. Speaker, I would like to ask my colleagues here in the U.S. House of Representatives to join me in offering our warmest congratulations to an outstanding community leader, Reverend Craig D. McDaniel, who is being honored for his faithfulness and dedication to the Smith Memorial Church of God in Christ as well as to the 10th District of New Jersey. On Friday May 10, 2002, there will be "A Night of Celebration" in Newark mark his achievements.

Craig Douglass McDaniel was born on February 25, 1960 to the Reverend Melvin McDaniel and the late Sallie Prather McDaniel in Newark, NJ. He is the eldest of five siblings born to this union. Craig was reared in Newark, NJ and attended the Newark Public Schools, graduating from Weequahic High School in 1979. He furthered his education at William Paterson College in Paterson, NJ.

Craig attended church with his family until he joined Holy Temple (Smith Memorial) Church of God in Christ in 1984 under the leadership of the late Bishop Howard Smith. In

1986, Craig was ordained a minister under the current Pastor, Dr. C.H. Evans and a few years later was ordained an Elder in the Church of God in Christ. In the early 90's, Elder McDaniel became assistant Pastor. He has traveled throughout the United States in revivals as an avid supporter of the Church of God in Christ.

One of Reverend McDaniel's greatest joys in life is serving people. In church, he is the Youth President and the Advisor of the Youth Department, Committee member for the Pastor's Anniversary Committee, former Vice President of the Young Adult Choir and many other auxiliaries. Reverend McDaniel serves in our jurisdiction as Vice President of the Youth Department and is also a National Adjutant in the Church of God in Christ.

In the community, he has participated on the advisory board for AIDS Benefits, Outreach Street Ministry, Essex County Prison Ministry, Annual Youth Retreats and Summits and the Beth Israel Medical Center Cultural Awareness Board. Reverend McDaniel was on the committee that enabled the Smith Memorial Church street to be renamed, from Stratford Place to Bishop Howard Smith Plaza (named after our founder, the late Bishop Howard Smith). In addition, Reverend McDaniel continues to better himself by continuing his education at Kean University in Union, NJ where he is currently majoring in Education.

Mr. Speaker, I know my colleagues will join me in wishing Reverend McDaniel all the best as he continues his outstanding service to his church and the 10th District of New Jersey.

#### HONORING NORTHSIDE HOSPITAL-CANTON

#### HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 11, 2002*

Mr. BARR of Georgia. Mr. Speaker, on July 6, 1962, Northside Hospital-Canton opened its doors to the surrounding community. From the very beginning, the hospital has strived to be an institution dedicated to the health and wellness of those that it serves. The hospital opened with only 250 beds, a 24-hour emergency department, and 80 physicians. As Cherokee County began to flourish and grow, the hospital did as well. Now, with more than 1,470 physicians serving over 300,000 patients annually, the hospital has proven itself to be a top quality facility that is clearly able to cope with the demands of a vibrant and growing part of one of the major metropolitan areas in the Southeastern United States. As the hospital reaches a milestone of 40 years of service, it is easy to see the vital role it plays in the community.

Much of the hospital's success can be attributed to its outstanding staff and its top-notch doctors; and employees stay with the hospital for a long time. One nurse, Ginnie Poor, has worked at the hospital for over 37 years. She is an example of the dedication and commitment the workers have made in order to guarantee health care of the highest quality.

Currently the hospital is expanding its emergency, radiology, and women's services, as well as offering more specialized services.