

## EXTENSIONS OF REMARKS

### CITY OF SOUTHLAKE RANKED IN TOP TEN

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 7, 2004*

Mr. BURGESS. Mr. Speaker, it is my great honor to recognize five communities within my district for being acknowledged as among the "Top Ten Suburbs of the Dallas-Fort Worth Area," by D Magazine, a regional monthly publication. Top honors went to Southlake, Colleyville, Highland Village, Flower Mound, and Coppell based on these communities' excellent schools, affordability, and low crime rates.

Every two years, the magazine ranks some fifty plus suburbs of the Dallas-Fort Worth region, the State of Texas' largest metropolitan area. Southlake was ranked number three on this year's top ten after receiving top marks as a community dedicated to its school's athletics and music. D Magazine also noted the city's efforts to encourage resident involvement through SPIN (Southlake Program for the Involvement of Neighborhoods), which "helps residents communicate with the city government." As a congressman, I appreciate Southlake's efforts to encourage civic engagement because constituent communication is essential to improving our communities.

I applaud Mayor Andy Wambsganss and the City Council of Southlake for building the City of Southlake into a distinguished community. I am proud to represent such a vibrant city.

### CONGRATULATING AN EXCEPTIONAL GROUP OF NORTHWEST INDIANA RESIDENTS

**HON. PETER J. VISCLOSKY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 7, 2004*

Mr. VISCLOSKY. Mr. Speaker, it is with great pride and enthusiasm that I wish to congratulate an exceptional group of Northwest Indiana residents. The Lake County Chapter of the American Red Cross will be honoring several local heroes for their bravery and selfless acts of kindness during the "In Honor of Heroes" banquet on Thursday, September 9, 2004 at the Avalon Manor in Merrillville, Indiana. They will also be recognizing two fallen military heroes and two fallen police heroes.

The First Congressional District is proud to commend the following youth for their acts of bravery. Thomas Jones displayed courage when he dialed 9-1-1 while his mother was having a seizure. The 9-1-1 dispatcher, Debbie Kochis, kept 5-year-old Thomas calm and feeling secure while she dispatched help. Thomas bravely responded to Kochis's request for information needed to get help and followed her instructions to help save his mother. Five-year-old Bobby Bodnar's grand-

mother fell unconscious while on a shopping trip. Bobby freed himself from the car seat and tried to help her. The young hero stayed calm, showed an employee where his grandmother was, and gave valuable information to the police. While on his way to school, Mike Spurlock came upon an accident scene. Assisted by other heroic citizens, Mike broke out one of the automobile's windows and removed the badly injured victim from the car. After the incident, he continued on to school as usual to take his final exam.

The Red Cross is also recognizing the following Northwest Indiana residents for using their training in life saving techniques to assist victims in life threatening situations. Mr. Daniel Luczak, an EMT, administered care to an injured worker which reduced further injury to the victim's lumbar spine. Lt. Yvonne Hogan Foster used CPR to revive a 90-year-old female who was unconscious. The tragic outcome of this heroic attempt to save a life should not diminish the fact that Lt. Hogan-Foster reacted quickly to the situation and put her lifesaving training to use. Dave Mays and Kandis Pigg are lifeguards trained and certified by the YMCA. Dave Mays activated the YMCA's emergency procedure and safely rescued a young man in the water complaining of severe back pain. Ms. Kandis Pigg's training in delivering oxygen proved to be a lifesaving technique after she was able to remove a man from the water who complained of shortness of breath. This heroic rescue resulted in the man's full recovery. The members of the Courage Aktion Club feel that they are in good hands whenever James Harris is around. While having lunch, James noticed a woman choking and performed the Heimlich maneuver to dislodge the food. A week later, while riding the bus, James helped a passenger who was having a seizure. Without the courageous efforts of these individuals: Karl Samuel, Higinio Martinez, Hank Carmona, Brian Gregory, Paul Jacques, Sam Rhoten, and Bill Curtis, a heart attack victim would not have survived. Their CPR/AED training revived the victim until the EMS arrived.

Carrie Clemens, Laura Layman, Stacey Gibbons, Sarah Udchitz, Stephen Kolodziej, Adam Wythe, and Matt Plassman were all working at a local Schoops restaurant when a tragic automobile accident occurred. The driver of a pickup truck suffered a fatal heart attack that resulted in the truck crashing into the restaurant. The heroic employees stepped right in to assist and aid the injured. Also being recognized are Randy Edmaiston and Martin Chelich, two courageous men that entered the home of a senior citizen while her home was on fire and evacuated the woman. Because of this selfless act, the woman's life was saved.

It takes dedication and hard work to make a blood drive a success. Hyles Anderson College and First Baptist Church work together to make blood drives successful. Due to the hard work of Kris Grafton, Karen Basham, Pastor Jack Schaap, and all the others involved, they have increased their blood collections by 40

percent and helped save 1,026 lives. Blood donors like Beth Groff truly give the gift of life. She has graciously donated 18 gallons of blood.

John D. Amos II and Luis A. Perez were two residents of Northwest Indiana who sacrificed their lives during Operation Iraqi Freedom, and their deaths come as a difficult setback to a community already shaken by the realities of war. These fallen soldiers will forever remain heroes in the eyes of this community, and this country.

I would like to also honor Trooper Scott A. Patrick and Detective William Rolniak, Jr. Trooper Patrick was the 40th Indiana State Police Officer to be killed in the line of duty. While stopping to aid a stranded motorist, he was shot by the motorist who had stolen the car. Detective William Rolniak, Jr., a 14-year police veteran, was killed in the line of duty when a suspect took him as a hostage and later killed him.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in commending and acknowledging these outstanding heroes of Northwest Indiana. Their bravery and selfless deeds to others are worthy of the highest honor and respect.

### MARRIAGE PROTECTION ACT OF 2004

SPEECH OF

**HON. DENNIS MOORE**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 22, 2004*

Mr. MOORE. Mr. Speaker, I rise in opposition to H.R. 3313, which would bar federal courts, including the Supreme Court, from hearing cases related to provisions in the Defense of Marriage Act [P.L. 104-199]. Under that law, the definition of marriage as a union between a man and a woman extends to all aspects of federal law and prevents states from being forced to recognize same-sex marriages from other states. In addition to P.L. 104-199, 38 states—including Kansas—have adopted laws limiting marriage to a man and a woman. H.R. 3313 would not bar state courts from hearing cases related to same sex marriage.

While Congress has broad authority under Article III of our Constitution to regulate the jurisdiction, procedures and remedies available in state and federal courts, this power is generally not used as a means to affect substantive law. Over the years, various proposals have been made—but not enacted—to limit the jurisdiction of federal courts to hear cases regarding particular, controversial areas of constitutional law, such as school busing, abortion, prayer in school, and recitation of the Pledge of Allegiance. Congress' Article III authority is generally used to address broad issues of court efficiency and resource allocation, rather than to allocate judicial power in a way that affects or influences the result in

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

cases concerning specific constitutional issues. Limiting the jurisdiction of any court for any particular class of cases raises questions regarding both the separation of powers doctrine and the Equal Protection Clause of our Constitution.

Additionally, it is not settled doctrine that Congress has the power to eliminate Supreme Court review of constitutional questions. As President Reagan's first attorney general, William French Smith, noted: "The integrity of our system of federal law depends upon a single court of last resort having a final say on the resolution of federal questions. The ultimate result of depriving the Supreme Court of jurisdiction over a class of cases would be that federal law would vary in its impact among the inferior courts. State courts could reach disparate conclusions on identical questions of law and the Supreme Court would not be able to resolve the inevitable conflicts."

For all of these reasons, Mr. Speaker, enactment of H.R. 3313 would be unwise and quite possibly unconstitutional. I agree with the late Senator Barry Goldwater who opposed similar "court stripping" bills during his Senate service, stating that "the frontal assault on the independence of the Federal courts is a dangerous blow to the foundations of a free society."

I noted with great interest a letter I recently received from former U.S. Representative Bob Barr, who authored the Defense of Marriage Act in 1996. In his correspondence to members of the House, dated July 19, 2004, former Congressman Barr urged the House to defeat H.R. 3313, stating that it will "needlessly set a dangerous precedent for future Congresses that might want to protect unconstitutional legislation from judicial review. . . . The fundamental protections afforded by the Constitution would be rendered meaningless if others follow the path set by H.R. 3313."

Former Congressman Barr also notes in his letter that, "where I differ with the supporters of H.R. 3313 is in my confidence that the Supreme Court will not invalidate DOMA [the Defense of Marriage Act]. During the lengthy consideration of DOMA, the House of Representatives heard detailed testimony on the constitutionality of DOMA. A parade of legal experts—including the Justice Department—determined that DOMA is fully constitutional. Although there are a few naysayers and wishful thinkers who opined that DOMA is unconstitutional, the overwhelming weight of authority was clear that DOMA is constitutional. Based on the exhaustive review of these opinions, Congress overwhelmingly passed DOMA and it was signed into law by President Clinton. DOMA remains good law. It is a sound and valid exercise of congressional authority, pursuant to the Full Faith and Credit Clause of the Constitution."

Further, former Congressman Barr comments in his letter that "because H.R. 3313 does not strip state courts of jurisdiction to hear challenges to the cross-state recognition section of DOMA, the result will be that each of the 50 state supreme courts will be the final authority on the constitutionality of a federal law. The chaotic result could be 50 different interpretations reached by state supreme courts, with no possibility of the U.S. Supreme Court reversing any incorrect interpretation of the federal DOMA. The potential for mischief by these courts is obvious. Ironically, I fear an increased likelihood of an adverse decision on

DOMA's constitutionality if H.R. 3313 becomes law."

Mr. Speaker, for all of these reasons, H.R. 3313 is neither good law nor good policy. My personal belief is that marriage is a union between a man and a woman, but that the regulation of marriage should be left to the states. Amending the Constitution of the United States is a serious matter not to be taken lightly and neither is enactment of legislation that would alter the careful balance of power and responsibility that the founders of our nation apportioned between the three branches of the federal government. I oppose H.R. 3313.

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**HONORING LOUISIANA EMPLOYER  
BAKER OIL TOOLS—THE FIRST  
RECIPIENT OF THE MANUFACTURING  
EXTENSION PARTNERSHIP OF LOUISIANA'S ANNUAL  
PACE AWARD**

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**HON. CHRISTOPHER JOHN**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 7, 2004*

Mr. JOHN. Mr. Speaker, our local employers are dedicated contributors to our local economies. Each day our local manufacturers not only produce valuable products in our communities, they employ the skills of area workers and resources to get the job done. Manufacturers like the one I am recognizing today are committed to success, and their success directly benefits our communities.

One such local manufacturer is Baker Oil Tools located in Lafayette, Louisiana. Baker Oil Tools is a leader in oilfield services and today they are being honored by the Manufacturing Extension Partnership of Louisiana (MEPoL) with the first-ever Platinum Award for Continued Excellence (PACE Award).

MEPoL—a non-profit business resource based at the University of Louisiana at Lafayette—has a distinguished history of providing business and technical assistance to manufacturing firms throughout the State of Louisiana. They have worked with over 550 Louisiana businesses—including Baker Oil Tools—since 1997 to increase the productivity and profitability of their clients.

MEPoL educated, encouraged and empowered Baker Oil Tools to embrace the principles of 'Lean Manufacturing,' a systematic approach to identifying and eliminating waste in the manufacturing process through continuous improvement. This efficient approach enabled the organizational advancements that led to the receipt of this prestigious award.

Thanks to a committed workforce and leadership dedicated to excellence, Baker Oil Tools has made significant advances in driving productivity, quality and technology throughout their organization. Baker Oil Tools is a local manufacturing leader and this award is an outstanding achievement.

Congratulations to Baker Oil Tools on receipt of MEPoL's first annual PACE award and to their long standing commitment to the people and prosperity of our community.

**IN RECOGNITION OF NATIONAL  
ASSISTED LIVING WEEK**

**HON. ELLEN O. TAUSCHER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 7, 2004*

Mrs. TAUSCHER. Mr. Speaker, I rise today to recognize September 12 to 18 as National Assisted Living Week. Created in 1995 by the National Center for Assisted Living, National Assisted Living Week is being celebrated this year for the first time in collaboration with the American Association of Homes and Services for the Aging and the Assisted Living Federation of America.

Along with good health and access to family and friends, nothing is more important to the senior citizens of our communities than their independence. National Assisted Living Week recognizes senior citizens who prize their independence and honors the professionals, volunteers, and investors who support the facilities and services that help them keep it.

The 2004 NALW theme, symbolized by a family tree and a heart, is "Caring for Our Heritage". The focus is on diverse cultural traditions that enrich our communities at all stages of life and are especially meaningful and comforting to residents of assisted living environments.

Mr. Speaker, I commend NCAL, AAHSA, and ALFA for working together to promote National Assisted Living Week, beginning this Grandparents' Day. We as a nation are grateful to the members of these three organizations for their mission and expertise in advocating and caring for and preserving the quality of life of our senior citizens.

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OF TEXAS

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Every two years, the magazine ranks some fifty plus suburbs of the Dallas-Fort Worth region, the State of Texas' largest metropolitan area. Coppell was ranked number nine on this year's top ten after receiving top marks for its diversity. D Magazine also noted the city's predominantly younger residents and made specific mention of the Coppell Community Garden. Started in 1998, the Coppell Community Garden seeks to promote community "cohesiveness" through volunteer gardening. The Community Garden operates in conjunction with Coppell's Share the Harvest program to provide fresh produce to local food pantries.

I applaud Mayor Doug Stover and the City Council of Coppell for building the City of Coppell into a distinguished community. I am proud to represent such a vibrant city.