

the Larimer County Department of Human Services Children and Family Services Division. She was also chairman of the Colorado Counties, Inc. Land Use and Natural Resources committee, and the joint Colorado Municipal League Growth subcommittee.

Mr. Speaker, it is clear that Cheryl Olson has ceaselessly dedicated her time and efforts to serving her country and the people of Colorado as a County Commissioner for Larimer County. I am honored to bring her hard work and commitment to the attention of this body of Congress and this nation today. Thank you for all your service, Cheryl, and I wish you all the best in your future endeavors.

IN RECOGNITION OF THE NATIONAL HISPANIC CONTRACTORS ASSOCIATION'S 2ND ANNUAL CONFERENCE

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 23, 2004

Mr. RODRIGUEZ. Mr. Speaker, I want to recognize the gathering of the National Hispanic Contractors Association at their 2nd Annual Conference entitled "Framing the Future: Diversity Builds the American Dream".

The Conference will take place on September 23rd and 24th, 2004 at the Greater Fort Lauderdale Broward County Convention Center located in Fort Lauderdale, Florida. With more than 150,000 Hispanic contractors in our nation, the Association will host many of them during this conference.

One of the panel discussions will focus on safety in the workforce. The rate of workplace injuries for Hispanics is disproportionately high. Hispanic workers, who comprise 12 percent of the U.S. labor force, experienced 15 percent of the fatal occupational injuries in 2003. Eight hundred forty Hispanic workers died from workplace injuries in 2003. I commend the USHCA for discussing this important subject.

The U.S. Hispanic Contractors Association is a 501(c)(3) non-profit organization dedicated to providing the support necessary for the advancement, advocacy, and economic growth, and full participation of Hispanic-owned businesses in all areas of contracting and procurement contracts.

CONGRATULATING DR. MIGUEL ANGEL RODRIGUEZ AS HE IS INSTALLED AS SECRETARY GENERAL OF THE ORGANIZATION OF AMERICAN STATES

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 23, 2004

Mr. PORTMAN. Mr. Speaker, I rise to honor my friend, Dr. Miguel Angel Rodriguez, the distinguished former President of Costa Rica, who today will be formally installed as Secretary General of the Organization of American States (OAS).

Combining a shared vision for the Americas, the OAS brings together a number of nations of the Western Hemisphere to strengthen co-

operation and common interests. It is the region's premier forum for multilateral dialogue and action. At the core of the OAS mission is the belief in, and commitment to, democracy. Since the end of the Cold War, the OAS member states have signified their cooperation by working to promote peace and human understanding; strengthen security; expand trade; and promote human rights.

A recognized world leader and economist, Dr. Rodriguez has served in many key leadership positions. Prior to assuming the Presidency of Costa Rica in 1998, he was President, and before that, Vice President of the Christian Democrat Organization of America. He was President of the Legislative Assembly of the Republic of Costa Rica and a Congressman of the Legislative Assembly of the Republic of Costa Rica. A professor at the Universidad Autonoma de Centro America, he has published extensively on the subjects of democracy; market and social welfare policy.

Dr. Rodriguez received a B.Sc. in Economics and Social Sciences and a BS in Law from the Universidad de Costa Rica. He also earned an M.A. and Ph.D. in Economics from the University of California at Berkeley.

I have had the honor of working with Dr. Rodriguez to resolve outstanding issues that would enable Costa Rica to participate in the Tropical Forest Conservation Act. I authored this legislation, which is designed to protect the world's most endangered tropical forests using market-oriented debt-for-nature mechanisms. I know him to be a thoughtful and fair person, and a friend of the United States.

I join my colleagues in congratulating Dr. Rodriguez on assuming the position of Secretary General. We look forward to working with him in his new position.

PAYING TRIBUTE TO SANDY HUME

HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 23, 2004

Mr. MCINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Sandy Hume and thank him for his exceptional contributions to his community and the State of Colorado as an Adams County Commissioner. As a public official since 1983, Sandy is a dedicated public servant and leader in his community and I am honored to recognize his accomplishments before this body of Congress and this Nation today.

A lifelong resident of Boulder, Colorado, Sandy attended Boulder High School and went on to earn both a bachelor's and masters degree from the University of Colorado. After a short period of serving with the Army, Sandy became a self-employed photographer. Sandy began his public service career when he was elected to the State House of Representatives in 1983, and reelected in 1985, and 1987. His strength as a legislator led to his 1989 election to the Colorado State Senate. Serving the people of Boulder County in District 13, Sandy has long been an advocate of education, efficient transportation, and management of our energy and natural resources. During his tenure in the House he served as a member of the Education and Transportation and Energy committees where he was able to work on higher education bills and regulating the

amount of hazardous waste that is transported through Boulder.

After leaving the General Assembly, Sandy continued his exemplary public service record by serving as a Boulder County commissioner from 1991-1994, and the Boulder County Treasurer from 1995-2002. Currently he is serving as the Boulder Public Trustee, a post that he was appointed to in 2003 by Colorado Governor Bill Owens. In his spare time, he serves on the Advisory Board of the Colorado Commission for Higher Education, and is an accomplished photographer.

Mr. Speaker, it is clear that Sandy Hume has ceaselessly dedicated his time and efforts to serving his country and the people of Colorado as an Adams County Commissioner. I am honored to bring his hard work and commitment to the attention of this body of Congress and this nation today. Thank you for all your service, Sandy, and I wish you all the best in your future endeavors.

RECOGNIZING THE CATHOLIC SOCIAL SERVICES FOR 25 YEARS OF COMMITTED SERVICE TO GOD'S PEOPLE

HON. MADELINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 23, 2004

Ms. BORDALLO. Mr. Speaker, I want to honor the Catholic Social Services (CSS) for 25 years of committed service to the people of Guam. For over two decades, the CSS has responded to the needs of our island community through housing, health care, nutritional and other support programs for the elderly and disadvantaged in our community. In doing so, it has fulfilled its mission to encourage the development of the spiritual, intellectual, economic, and social well-being of those in need while respecting the dignity of each individual.

Founded by Fr. David I.A. Quitugua with the assistance of Judge Ramon Diaz and the late Archbishop Felixberto C. Flores, the Catholic Social Services opened its doors on September 12, 1979 in Agaña, Guam. From its first programs, the residential Drug Treatment Center and the Migration and Refugee Office to the many programs they currently administer, the Catholic Social Services continues to expand to meet the growing needs of our community. Programs such as the In-Home Services Program have provided much needed respite and support services for caretakers of the elderly and to elderly individuals without caretakers. Other programs, including the Alee Shelters and Guma Sagrada Familia, have provided a safe haven for victims of abuse especially women, children, the elderly and adults with disabilities. The Guma San Jose shelters and the Liheng Transitional Housing Program provide shelter to homeless individuals and families as well as assistance in obtaining permanent housing. The Caridad programs provide much needed assistance to children and adults with special needs.

The accomplishments of the Catholic Social Services over the last 25 years would not have been possible without the work of dedicated staff and volunteers, past and present. I want to commend each of them for their commitment to serving the less fortunate in our community. I would also like to commend

the leadership of CSS over the years, Fr. David Quitugua, Sr. Anita, Mrs. Cerila M. Rapadas, and Sr. Callista Camacho, R.S.M. Together they have brought hope to those in need.

I want to recognize Archbishop Anthony S. Apuron and the Archdiocese of Agana for the continued support of the mission of the Catholic Social Services. Furthermore, I would also like to recognize the generosity of the donors and benefactors of the Catholic Social Services. Their contributions have made it possible for CSS to continue its work and I encourage their continued support.

I want to congratulate the Catholic Social Services on their 25th Anniversary. Although I cannot be with them as they celebrate the occasion, I want to thank them for their service to our people and wish them continued success. Un Dangkulu na Si Yu'os Ma'asel

TRANSPORTATION, TREASURY,
AND INDEPENDENT AGENCIES
APPROPRIATIONS ACT, 2005

SPEECH OF

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2004

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5025) making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2005, and for other purposes:

Ms. DeGETTE. Mr. Chairman, I voted in strong support of the Motion to Recommit sponsored by Representative DAVID OBEY and in reluctant support for final passage of H.R. 5025, the Transportation and Treasury Appropriations Act for Fiscal Year 2005.

Politics and a deplorable abuse of the legislative process are holding critical transportation projects across this country hostage. This includes the T-REX project in my district—which has introduced light rail to metro Denver and expanded a vital corridor along I-25. Every federal highway and transit project in this country must be authorized to receive federal funds before the appropriators can release them. Unfortunately, the wheels have fallen off the authorization train this time around.

We in Congress are facing an incredible situation where a Republican-controlled House, a Republican-controlled Senate and a Republican-controlled White House cannot reach an agreement on funding levels for our nation's transportation system. This showdown occurs against a background of ever increasing traffic congestion, as our transportation needs continue to outstrip our will to address them.

As if there weren't enough to raise concern about the authorization process alone, the folly extended to the House's consideration of the transportation funding bill as well. My Republican colleagues from Colorado subjected the appropriations bill itself to numerous points of order that stripped the legislation of funding for transit projects, Amtrak, and even T-REX.

My hometown paper, the Rocky Mountain News, recently described the situation we face today, "Imagine a major transportation bill that pays for very few roads or transit programs."

Well, that's what we're stuck with. Do you know why my colleagues decided to strip this much-needed money out of the bill? Because the authorization bill hasn't passed. Well, whose fault is that?

So I support Mr. OBEY's efforts to restore the transit funding to the transportation bill before us here today. I'll vote for final passage, because I hope that all of this absurdity will be remedied in the conference report because, frankly, my constituents don't care about this political wrangling. They care about the transportation crunch across our country, they care about congestion in Denver and they care about real solutions. I will continue to fight against this political posturing and for the real solutions that will get traffic flowing again in my district and across this nation.

PLEDGE PROTECTION ACT OF 2004

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 2004

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2028) to amend title 28, United States Code, with respect to the jurisdiction of Federal courts inferior to the Supreme Court over certain cases and controversies involving the Pledge of Allegiance:

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in strong opposition to the Pledge Protection Act of 2003, H.R. 2028. The operative language of H.R. 2028 is contained in a single provision—Section 2(a):

[n]o court created by an Act of Congress shall have any jurisdiction, and the Supreme Court shall have no appellate jurisdiction, to hear or decide any question pertaining to the interpretation of, or the validity under the Constitution of, the Pledge of Allegiance, as defined in section 4 of title 4, or its recitation.

Mr. Chairman, we have seen this kind of egregious legislation before in the context of closing federal court doors to claims related to the Defense of Marriage Act. This legislation violates the same principles as that did—supreme court and lower federal court jurisprudence; well-respected legal precedence; the doctrines of the "separation of powers;" the doctrine of "judicial review;" equal rights and equal protection; the U.S. Constitution; the intent of the original Framers; and others.

H.R. 2028 would preclude any federal judicial review of any constitutional challenge to the Pledge of Allegiance—whether it be in the lower federal courts or in the highest Court in the Land, the U.S. Supreme Court. Effectively, if passed, this extremely vague legislation will relegate all claimants to State courts to review any challenges to the Pledge. This possibility will lead to different constitutional constructions in each of the 50 states. If one of the purported goals of H.R. 2028 is to minimize the amount of cases brought to the federal courts and save the court administration's time, this bill fails miserably. H.R. 2028 "dumps" these claims onto the dockets of the State courts which will render different decisions across the board—clearly bad policy.

JUDICIAL REVIEW AND ARTICLE III

Article III of the U.S. Constitution vests "the Judicial Power of the United States . . . in

one supreme court." The laundry list of areas which the federal courts have the power to hear and decide under Section 2 of Article III, establishes the doctrine of the "separation of powers."

For over 50 years, the federal courts have played a central role in the interpretation and enforcement of civil rights laws. Bills such as H.R. 2028 and H.R. 3313, the Marriage Protection Act—bills to prevent the courts from exercising their Article III functions only mask discrimination.

We cannot allow bad legislation such as this to pass in the House. In the 1970s, some members of Congress unsuccessfully sought to strip the courts of jurisdiction to hear desegregation efforts such as busing, which would have perpetuated racial inequality.

At the height of anti-immigration sentiments in 1996, Congress succeeded in enacting immigration laws that stripped federal courts of the ability to hear appeals by legal immigrants who sought to challenge the harsh deportation laws that were on the books. Some of these laws were so extreme that the Supreme Court ultimately weighed in and struck them down as unconstitutional. As Ranking Member of the House Judiciary Subcommittee on Immigration and Claims, I recognize the importance of the Supreme Court's role in ensuring that fundamental fairness remains the hallmark of the American legal and judicial system.

Minority groups enjoy the freedoms that they now enjoy today because of the wisdom of the Supreme Court. By passing legislation such as H.R. 2028 and H.R. 3313, Congress will set a dangerous precedent that will leave many Americans vulnerable to discrimination and disparate treatment.

The denial of a federal forum for plaintiffs to vindicate their Constitutional rights would preclude a body specifically suited for the analysis of federal interests from doing what it has been created to do under the Constitution. State courts, which will be the "last shot" at relief for these plaintiffs, may lack the expertise and independent safeguards provided to federal judges under Article III.

H.R. 2028, as drafted, insulated the Pledge of Allegiance as set forth in section 4 of title 4 of the United States Code from constitutional challenge in the federal courts.

However, the statute and the Pledge are subject to change by future legislative bodies. This means that if some future Congress decides to insert some religiously offensive or discriminatory language in the pledge, the matter would be immune to constitutional challenge in the federal courts.

The Jackson-Lee amendment, which I will offer, provides for an exception to the bill's preclusion that involves allegations of coerced or mandatory recitation of the Pledge of Allegiance, including coercion in violation of the First Amendment.

Closing the doors of the federal courthouse doors to claimants will amount to a coercion of individuals to recite the Pledge and its reference to God in violation of the holding in *West Virginia State Board of Education v. Barnette*. This case struck down mandatory recitation of the Pledge of Allegiance.

In *Barnette*, the Supreme Court struck down a West Virginia law that mandated schoolchildren to recite the Pledge of Allegiance. Under the West Virginia law, religious minorities faced expulsion from school and could be subject to prosecution and fined, if convicted