

THE COMMERCIAL SPACE LAUNCH
AMENDMENTS ACT OF 2004

HON. DANA ROHRBACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 2004

Mr. ROHRBACHER. Mr. Speaker, today I am introducing H.R. 5382 Commercial Space Launch Amendments Act of 2004 which contains the bulk of H.R. 3752, Commercial Space Launch Amendments Act of 2004, as passed by the House of Representatives on March 4, 2004.

Portions of H.R. 3752 were incorporated into H.R. 5245, a bill to extend the liability indemnification regime for the commercial space transportation industry which passed the House of Representatives on October 8, 2004.

RECOGNIZING ALEX STAMOS FOR
ACHIEVING THE RANK OF EAGLE
SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 2004

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Alex Stamos of Blue Springs, Missouri, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 138, and in earning the most prestigious award of Eagle Scout.

Alex has been very active with his troop, participating in many scout activities. Over the many years Alex has been involved with scouting, he has not only earned numerous merit badges, but the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Alex Stamos for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

AUTHORIZATION OF SALARY AD-
JUSTMENTS FOR FEDERAL JUS-
TICES AND JUDGES

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 17, 2004

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 5363, a bill authorizing cost-of-living salary adjustments for justices and judges of the Federal courts for fiscal year 2005 that has been introduced by Chairman JIM SENSENBRENNER and co-sponsored by Ranking Member JOHN CONYERS of the Judiciary Committee. The bill would provide for a 2.5 percent adjustment of Federal judiciary salaries. I thank the Chairman for his leadership in bringing this very important matter to the floor. In 1981, Congress passed a Joint Resolution Making Further Continuing Appropriations for FY 1982, and Section 140 of that legislation read as follows:

Notwithstanding any other provision of law or of this joint resolution [Pub. L. 97-92],

none of the funds appropriated by this joint resolution or by any other Act shall be obligated or expended to increase, after the date of enactment of this joint resolution [Dec. 15, 1981], any salary of any Federal judge or Justice of the Supreme Court, except as may be specifically authorized by Act of Congress hereafter enacted: Provided, That nothing in this limitation shall be construed to reduce any salary which may be in effect at the time of enactment of this joint resolution nor shall this limitation be construed in any manner to reduce the salary of any Federal judge or of any Justice of the Supreme Court. This section shall apply to fiscal year 1981 and each fiscal year thereafter. (emphasis added).

This provision placed a severe limitation on the cost-of-living adjustments—and therefore the financial well-being of judges by requiring specific implementing legislation before a salary increase could be made under the current Section 461 of Title 28 in the United States Code.

Article III, Section 1 of the United States Constitution provides that “The Judges . . . shall . . . receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.” Over the past 10 years though, this body has failed to provide Federal judges with annual cost-of-living adjustments (COLA), and as a result, these offices have faced the economic equivalent of a \$77,000 reduction in salary. In the last 30 years, while average pay has increased by 12 percent for most workers, it has decreased by 25 percent for Federal judges. Federal judges make a lifetime commitment to serve the public. This legislation will help them to plan their financial futures with assurance that their pay is commensurate with the cost-of-living increases for this year.

Under the current pay schedule, Federal district court judges earn \$150,000 per year. This is far, far less than they could earn in private practice and is even less than an associate right out of law school earns in New York City. Our Federal judiciary will not attract the kind of high caliber legal minds that are needed if the compensation is not maintained in a reasonable fashion.

It has gotten so bad that employees of the Administrative Office of Courts—who work for the Federal judges—now enjoy greater salaries than the judges themselves. This is the equivalent of congressional staff earning more than Congressmen. It is no wonder that Federal judges are leaving in droves, with nearly 6 dozen judges leaving over the last several years.

There can be no doubt of the value and importance of ensuring that our Federal judges are fairly compensated. The Federal judiciary is the crux of our democracy. Without the wisdom of some of the great judicial scholars of the past, many of us—women, African-Americans and all minorities, immigrants, disabled, and others, would not enjoy the fundamental civil liberties that we do today. We are a long way from a completely fair and equal society, but without the best and brightest legal minds, we will never make it to that goal.

If there is any single idea in the Constitution that has separated our experiment in democracy from all other nations, it is the concept of an independent judiciary.

The Founding Fathers, in their great wisdom, created a system of checks and balances, granting independent judges not only lifetime tenure, but the right to an

undiminished salary. It is no surprise that over the years, the Federal judiciary, more than any other branch, has served as the protector of our precious civil rights and civil liberties. I agree with Alexander Hamilton that the “independent spirit of judges” enables them to stand against the “ill humors of passing political majorities.”

We cannot have a qualified and independent judiciary if we don't pay them a just wage. Chief Justice Rehnquist has declared that “providing adequate compensation for judges is basic to attracting and retaining experienced, well-qualified and diverse men and women.” Justice Breyer was even blunter when he stated, “the gulf that separates judicial pay from compensation in the non-profit sector, in academia, and in the private sector grows larger and larger . . . and threatens irreparable harm both to the institution and the public it serves.”

The bill before us responds to that problem granting the judiciary a COLA retroactive to the start of the last fiscal year. I consider this to be a modest down payment in developing a more rationale and fair system of compensating our Federal judges.

I urge my colleagues to join this Committee in supporting this important legislation. Mr. Speaker, I ask that my colleagues vote “yes” on H.R. 5363.

HONORING KATHLEEN GARRISON
AND RUTH ANN BUSALD AT THE
MADISONVILLE LUMINARIA

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 2004

Mr. PORTMAN. Mr. Speaker, on Saturday, November 13, 2004, I participated in the Second Annual Madisonville Neighborhood Luminaria in Cincinnati, Ohio. As part of the program, I had the privilege of honoring two tireless community advocates and volunteers, Kathleen Garrison and Ruth Ann Busald.

Kathy's dedication to the Madisonville Community Council, the Department of Justice/Madisonville Weed & Seed Strategy, and the Students Concerned About Today and Tomorrow is unequalled and makes Madisonville a better place to live and work.

Ruth's dedication to researching, archiving, and sharing the history of Madisonville, for more than a decade, is unparalleled. Her lifelong commitment to Madisonville has kept the community history alive, enriching all who live and work in the community.

Kathy Garrison and Ruth Ann Busald's generosity is an example of that admirable American spirit of volunteerism that motivates and enriches not only the local community, but also the country as a whole.

All of us in the Second District of Ohio appreciate their service to our area.