

wished to foster the goals of the American Legion in their community. Harrison Post 282 received its permanent charter from the American Legion in 1941. In its 65 years, Harrison Post 282 has continuously upheld the goals of the American Legion, helping countless veterans and serving as a pillar of the Harrison community in a variety of activities.

Today, I ask my colleagues to join me in celebrating the 65th Anniversary of the Harrison Post 282 American Legion and in honoring its outstanding commitment to veterans and their community.

**PAYING TRIBUTE TO EAST HOLBROOK, ROCKY FORD, AND EMMANUEL MENNONITE CHURCHES**

**HON. SCOTT MCINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 4, 2004*

Mr. MCINNIS. Mr. Speaker, it is with great pride that I rise today to pay tribute to three Mennonite churches that have enriched the Southeastern Colorado community for 100 years. The East Holbrook, Rocky Ford, and Emmanuel Mennonite churches in Colorado have been instrumental in educating citizens about religion and providing healthcare to the Pueblo community. I would like to join my colleagues here today in recognizing these institutions tremendous service to their Colorado community.

In 1903, the Mennonites settled in East Holbrook and the Fairmount area in my state. Over the years, the group has established a school, a tuberculosis sanitarium, and a hospital. The Mennonites have been outstanding members of the community who have met the increasing needs of their community by adding a School of Nursing and a new congregation for Spanish-speaking residents in Cheraw and La Junta, Colorado.

Mr. Speaker, East Holbrook, Rocky Ford, and Emmanuel Mennonite churches are composed of dedicated individuals who use their resources to improve the lives of many Pueblos. The Mennonites have demonstrated a love for humanity that resonates with their compassionate and selfless service to their town. The Mennonite enthusiasm and commitment certainly deserve the recognition of this body of Congress.

**UNITED STATES PATENT AND TRADEMARK FEE MODERNIZATION ACT OF 2003**

SPEECH OF

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 3, 2004*

Mr. CONYERS. Mr. Chairman, the PTO is in the midst of a crisis. Funded by user fees instead of taxpayers, the PTO generates \$1 billion in revenues each year. This success has been an Achilles' heel—the Administration treats the PTO as a cash cow and diverts hundreds of millions of dollars every year for other programs. This is making it difficult for the PTO to hire or even retain qualified examiners to review patent applications. Our technological advancement and our economy can only suffer if Congress sits idly by while this happens.

This bill remedies this by ensuring the PTO can spend all of the fees it collects. I believe ending fee diversion is one of the most important signals we can send to spur innovation and encourage new technologies and new drugs.

The bill also incorporates a proposal of mine and Representative KAPTUR's to maintain a fee deduction for small businesses. Small businesses are important to this country's economy, and we should give them every incentive to innovate and seek protection for those innovations.

Having said that, I still have concerns about outsourcing. The bill would give the PTO the ability to hire private contractors to do patent searches. This is problematic for a variety of reasons. First, searching old patents and journals is one of the core functions of the PTO, giving that job to private companies would be like shutting down the FBI and having someone else conduct criminal investigations for the Justice Department. Second, no one questions the accuracy and integrity of the work of PTO employees, so the need for contractors is questionable. Also, there could be conflicts of interest if the employee of a contractor doing searches has his or her own patent applications pending.

While the bill will be improved to prevent outsourcing to foreign companies and to limit conflicts of interest, some of my concerns remain.

**RECOGNIZING COLONEL H. WILLIAM CARD FOR HIS LEADERSHIP**

**HON. RUBEN HINOJOSA**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 4, 2004*

Mr. HINOJOSA. Mr. Speaker, I rise today to invite my colleagues to join the Harlingen Hispanic Chamber of Commerce in saluting the extraordinary life and service of Colonel William "Bill" Card. Colonel Card is a modern day "Renaissance man". He has been a citizen, soldier, educator, entrepreneur, community leader, and mayor, and is an example of what is best in America.

Bill Card was born into a military family where dedication to service and country were deeply ingrained. At the age of 17, he enlisted in the U.S. Marine Corps and was sworn in by his father, Brigadier General Horace W. Card. While still in college, he was called to duty aboard the USS *Pennsylvania* berthed at Pearl Harbor, Hawaii. It was on Sunday, December 7, 1941 that Bill was first tested in battle as he manned the guns to defend his ship against enemy aircraft. In 1942, Bill was commissioned as a second lieutenant and by 1944 was a captain and took part in the campaign of Saipan Island.

After the war, Bill continued to serve in the Marines as an artillery instructor. When the Korean War broke out, Captain Card took part in the landing at Inchon and the liberation of Seoul. By 1954, Bill was a Lieutenant Colonel and served as Battalion Commander, Training and Test Regiment at Quantico, Virginia. In 1962, he was deployed to Cuba during the missile crisis and was subsequently promoted to full colonel.

In 1968, Colonel Card came to Harlingen, Texas as director of Development of the Marine Military Academy. As an instructor, he was always willing to share his knowledge and

the values of integrity, honor, courage, dedication and perseverance with the young cadets. Upon his retirement from the Marine Corps, he began a new career as a businessman and community leader in Harlingen.

Bill Card jumped right in to community affairs. He served as the Mayor of Harlingen from 1987 to 1998. He has served as the President of the Rio Grande Valley Chamber of Commerce, the Harlingen Rotary Club, the United Fund, and the Lower Rio Grande Valley Development Council. He has been an officer in numerous organizations including the Easter Seal Chapter of Cameron County, the American Heart Association, the Lower Rio Grande Valley YWCA, the Muscular Dystrophy Association, the Marine Military Academy and the Harlingen Community Care Emergency Foundation. He currently serves on the Rio Grande Valley Health Services District Board, a new entity seeking to resolve the border region's indigent health care crisis. This list goes on and on.

He has deservedly received numerous awards including Citizen of the Year of the Rio Grande Council of the Boy Scouts, the 1973 "Boss of the Year" by the National Secretaries Association and the 1980 "Banker of the Year" for Small Business Administration Region VI. He even received the "Road Hand Award" from the Texas Department of Transportation for proving his ability and stamina in toiling long, strenuous hours for Texas roads. He has also never forgotten his first love, the Marines, and spearheaded the capital campaign that raised \$14 million for new barracks, classrooms, student services and athletic facilities for the Marine Military Academy.

Bill Card never does anything half-heartedly. The discipline and focus he learned in the Marines has been carried with him in civilian life. The people of Harlingen and the Rio Grande Valley are deeply indebted to him for his commitment to improving life for every resident. As a result of his leadership, Harlingen completed a new air terminal at Valley International Airport. The city has a new public library, a new public museum and an expanded municipal auditorium. His vision of thinking of the Rio Grande Valley as one economic entity has brought economic growth and increased cooperation to the whole region.

Despite accomplishing enough for two lifetimes, Bill and his wife Garrison have found the time to raise four beautiful children and are the proud grandparents of six grandchildren. I am very proud to call him my friend. I urge my colleagues to join me in commending Colonel Card and expressing our gratitude for his distinguished service to South Texas and to this great Nation.

**D.C. CIRCUIT COURT RULING CONCERNING TELECOMMUNICATIONS REGULATIONS**

**HON. DEVIN NUNES**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 4, 2004*

Mr. NUNES. Mr. Speaker, two days ago the D.C. Circuit Court ordered the Federal Communications Commission (FCC) to design new

unbundling and wholesale rules within 60 days. According to the Court, "This deadline is appropriate in light of the commission's failure, after eight years, to develop lawful unbundling rules, and its apparent unwillingness to adhere to prior judicial rulings." Given the situation and the impact that it has on my rural district and consumers across the country, I fully support this decision.

The time has come for the FCC to stop playing games and adopt a set of rules that adheres to the guidelines set forth by the 1996 Telecommunications Act. I support free market principles and feel as though Congress painted a clear pro-competition, pro-growth picture for the FCC. I also echo the sentiments of many other members of the House who feel that it is time to put some legitimacy and continuity in telecommunications regulations.

For the sake of growth, development, and the rule of free market principles in the telecommunications industry, I would like to see each and every member of the House support this ruling.

IN HONOR OF MR. AND MRS.  
RICHARD A. RUTKOWSKI

**HON. ROBERT MENENDEZ**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 4, 2004*

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Richard A. Rutkowski and Regina J. Rutkowski for their years of service and dedication to their community. Mr. and Mrs. Rutkowski were honored by the Richard A. Rutkowski Association at the 25th Anniversary Gala Dinner-Dance on Saturday, January 17, 2004, at the Hi-Hat Caterers in Bayonne, New Jersey.

Richard A. Rutkowski is former mayor and two-term council member-at-large for the City of Bayonne. In 1992 and 1993, Mr. Rutkowski was elected by fellow mayors to the 25 member executive board of the New Jersey State League of Municipalities. Mr. Rutkowski is currently a director of the Bayonne Chapter of the National Conference for Community and Justice, an active member of the American Polish Veterans, Assumption Catholic War Veterans Post no. 1612, and Bayonne Elks Lodge #434.

Mr. Rutkowski has served on a number of boards of directors for committees, civic, religious, professional and ethnic organizations. He is a former member of the Parish Council and school board member at Our Lady of Mount Carmel, where he served as the chairman of the Parish Centennial Committee. Mr. Rutkowski has also served as assistant cubmaster of Pack 19.

For all his remarkable accomplishments, dedication to his community, and leadership, Mr. Rutkowski has received numerous awards, including the YMCA Award, Citizen of the Year Award from the Bayonne Kiwanis Club in 1990, and National Conference for Community and Justice Humanitarian Award in 2001.

Born and raised in Bayonne, Mr. Rutkowski attended Saint Peter's Prep and received his bachelor's degree from Saint Peter's College. Mr. Rutkowski received a master's degree from Stevens Institute of Technology.

Regina J. Rutkowski was born in Poland, and is a survivor of the Nazi occupation. After years of suffering, her family relocated to Eng-

land and then to the United States. Mrs. Rutkowski attended New Jersey City University where she graduated Summa Cum Laude, and received her bachelor's degree in History.

Mrs. Rutkowski has been involved in a variety of charitable, social and civic organizations in which she has held several positions, such as Bayonne's marshall of the Pulaski Day Parade in 1997, trustee of the Bayonne Historical Society, and honorary chair on the 25th Anniversary of the Pro Arte League of the Kosciuszko Foundation.

Mrs. Rutkowski is an active member in numerous organizations, including the Bayonne Pulaski Memorial Committee, Polish-American Heritage Committee of Bayonne, Polish-American Citizens Club, and Royal Arcanum.

Mrs. Rutkowski is a member of the Our Lady of Mount Carmel Church, where she serves on the Parish Council. She is an usherette and former member of the parish's Centennial Committee. She currently serves as treasurer of the Mount Carmel Guild.

Mr. and Mrs. Richard A. Rutkowski are the proud parents of three sons, Richard Jr., Stephen, and Robert, and grandparents of three wonderful children, Stephen, Alexa and Robert.

Today, I ask my colleagues to join me in honoring Richard A. Rutkowski and Regina J. Rutkowski for their outstanding leadership, tireless work and service in the community, and commitment to their fellow man.

WE THE PEOPLE ACT

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 4, 2004*

Mr. PAUL. Mr. Speaker, I rise to introduce the We the People Act. The We the People Act forbids federal courts, including the Supreme Court, from adjudicating cases concerning state laws and policies relating to religious liberties or "privacy," including cases involving sexual practices, sexual orientation or reproduction. The We the People Act also protects the traditional definition of marriage from judicial activism by ensuring the Supreme Court cannot abuse the equal protection clause to redefine marriage. In order to hold federal judges accountable for abusing their powers, the act also provides that a judge who violates the act's limitations on judicial power shall either be impeached by Congress or removed by the president, according to rules established by the Congress.

The United States Constitution gives Congress the authority to establish and limit the jurisdiction of the lower federal courts and limit the jurisdiction of the Supreme Court. The Founders intended Congress to use this authority to correct abuses of power by the federal judiciary.

Some may claim that an activist judiciary that strikes down state laws at will expands individual liberty. Proponents of this claim overlook the fact that the best guarantor of true liberty is decentralized political institutions, while the greatest threat to liberty is concentrated power. This is why the Constitution carefully limits the power of the federal government over the states.

In recent years, we have seen numerous abuses of power by federal courts. Federal

judges regularly strike down state and local laws on subjects such as religious liberty, sexual orientation, family relations, education, and abortion. This government by federal judiciary causes a virtual nullification of the Tenth Amendment's limitations on federal power. Furthermore, when federal judges impose their preferred policies on state and local governments, instead of respecting the policies adopted by those elected by, and thus accountable to, the people, republican government is threatened. Article IV, section 4 of the United States Constitution guarantees each state a republican form of government. Thus, Congress must act when the executive or judicial branch threatens the republican governments of the individual states. Therefore, Congress has a responsibility to stop federal judges from running roughshod over state and local laws. The Founders would certainly have supported congressional action to reign in federal judges who tell citizens where they can and can't place manger scenes at Christmas.

Mr. Speaker, even some supporters of liberalized abortion laws have admitted that the Supreme Court's *Roe v. Wade* decision, which overturned the abortion laws of all fifty states, is flawed. The Supreme Court's Establishment Clause jurisdiction has also drawn criticism from across the political spectrum. Perhaps more importantly, attempts to resolve, by judicial fiat, important issues like abortion and the expression of religious belief in the public square increase social strife and conflict. The only way to resolve controversial social issues like abortion and school prayer is to restore respect for the right of state and local governments to adopt policies that reflect the beliefs of the citizens of those jurisdictions. I would remind my colleagues and the federal judiciary that, under our Constitutional system, there is no reason why the people of New York and the people of Texas should have the same policies regarding issues such as marriage and school prayer.

Unless Congress acts, a state's authority to define and regulate marriage may be the next victim of activist judges. After all, such a decision would simply take the Supreme Court's decision in the *Lawrence* case, which overturned all state sodomy laws, to its logical conclusion. Congress must launch a preemptive strike against any further federal usurpation of the states' authority to regulate marriage by removing issues concerning the definition of marriage from the jurisdiction of federal courts.

Although marriage is licensed and otherwise regulated by the states, government did not create the institution of marriage. Government regulation of marriage is based on state recognition of the practices and customs formulated by private individuals interacting in civil institutions, such as churches and synagogues. Having federal officials, whether judges, bureaucrats, or congressmen, impose a new definition of marriage on the people is an act of social engineering profoundly hostile to liberty.

It is long past time that Congress exercises its authority to protect the republican government of the states from out-of-control federal judges. Therefore, I urge my colleagues to co-sponsor the We the People Act.