

## PERSONAL EXPLANATION

**HON. DOUG OSE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 1, 2004*

Mr. OSE. Mr. Speaker, on Monday, March 29, 2004, I missed Rollcall votes 94 and 95. Had I been here, I would have voted "aye" on Rollcall 94; and "aye" on Rollcall 95.

## INTRODUCING THE "AFGHAN WOMEN SECURITY AND FREEDOM ACT OF 2004"

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 1, 2004*

Mrs. MALONEY. Mr. Speaker, today I, along with my colleagues Representative TOM DAVIS (R-VA) and Representative CORRINE BROWN (D-FL), introduce the "Afghan Women Security and Freedom Act of 2004" which would authorize \$300 million each year from FY2005 through FY2007 for programs in Afghanistan that benefit women and girls. The funding would be directed toward legal assistance for women, enforcing provisions of the Afghan constitution pertaining to women's rights, encouraging the registration of women voters, and providing equipment to reduce infant and maternal mortality, among other provisions. This legislation was introduced earlier this year in the Senate by Senator BARBARA BOXER (D-CA).

Women's rights in Afghanistan have fluctuated greatly over the years. Women have bravely fought the forces of extremism at various points in the country's turbulent history. At one time, women were scientists and university professors. They led corporations and nonprofit organizations in local communities.

While the new Afghan constitution guarantees equality for Afghan women, throughout Afghanistan, women continue to face intimidation, discrimination, and violence. The United States has an obligation to ensure that women and girls have the opportunities that they were denied under the Taliban and that the gains that have been made are not lost in the coming months and years. It is imperative that we provide the support needed to ensure that the rights of women are protected in the new Afghanistan.

## PAYING TRIBUTE TO THELMA STARNER

**HON. SCOTT MCINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 1, 2004*

Mr. MCINNIS. Mr. Speaker, it is my pleasure to rise today to honor Thelma Starnier for her selfless dedication to the community of Delta, Colorado, and congratulate her on being recognized by the Delta City Chamber as their Humanitarian of the Year. The award is presented to an individual who has shown an outstanding commitment to the Delta community, and Thelma could not be a more worthy recipient. It is a privilege to pay tribute to Thel-

ma for her well-deserved award, and her ongoing efforts to better her community today.

Thelma owned and operated Delta Sand & Gravel for twenty-five years. As an active member in her community, she dedicates her time to a vast array of civic functions. Thelma has served as president of the Delta Chamber, Western Colorado Community Foundation, and Altrusa International of Delta; and is current president of the hospital's board of directors and of the board of Tri-County Resource Center. Thelma also was a founding board member of West Central Housing Development Organization and Delta Area Development Inc. Her enthusiasm for taking part in these organizations comes from the joy she receives in giving back to the community she loves.

Mr. Speaker, it is my privilege to recognize Thelma before this body of Congress and this nation for the recognition she received by the Delta City Chamber as their Humanitarian of the Year. She has done much to improve her community, and I wish her all the best in her future endeavors.

## INTRODUCING THE AMERICAN JUSTICE FOR AMERICAN CITIZENS ACT

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 1, 2004*

Mr. PAUL. Mr. Speaker, I rise to introduce the American Justice for American Citizens Act, which exercises Congress's Constitutional authority to regulate the federal judiciary to ensure that federal judges base their decisions solely on American Constitutional, statutory, and traditional common law. Federal judges increasing practice of "transjudicialism" makes this act necessary. Transjudicialism is a new legal theory that encourages judges to disregard American law, including the United States Constitution, and base their decisions on foreign law. For example, Supreme Court justices recently used international law to justify upholding race-based college admissions and overturning all state sodomy laws.

In an October 28, 2003 speech before the Southern Center for International Studies in Atlanta, Georgia, Justice O'Connor stated: "[i]n ruling that consensual homosexual activity in one's home is constitutionally protected, the Supreme Court relied in part on a series of decisions from the European Court of Human Rights. I suspect that with time, we will rely increasingly on international and foreign law in resolving what now appear to be domestic issues, as we both appreciate more fully the ways in which domestic issues have an international dimension, and recognize the rich resources available to us in the decisions of foreign courts."

This statement should send chills down the back of every supporter of Constitutional government. After all, the legal systems of many of the foreign countries that provide Justice O'Connor with "rich resources" for her decisions do not respect the same concepts of due process, federalism, and even the presumption of innocence that are fundamental to the American legal system. Thus, harmonizing American law with foreign law could undermine individual rights and limited, decentralized government.

There has also been speculation that transjudicialism could be used to conform American law to treaties, such as the UN Convention on the Rights of the Child, that the Senate has not ratified. Mr. Speaker, some of these treaties have not been ratified because of concerns regarding their effects on traditional American legal, political, and social institutions. Judges should not be allowed to implement what could be major changes in American society, short-circuit the democratic process, and usurp the Constitutional role of the Senate to approve treaties, by using unratified treaties as the bases of their decisions.

All federal judges, including Supreme Court justices, take an oath to obey and uphold the Constitution. The Constitution was ordained and ratified by the people of the United States to provide a charter of governance in accord with fixed and enduring principles, not to empower federal judges to impose the transnational legal elites' latest theories on the American people.

Mr. Speaker, the drafters of the Constitution gave Congress the power to regulate the jurisdiction of federal courts precisely so we could intervene when the federal judiciary betrays its responsibility to uphold the Constitution and American law. Congress has a duty to use this power to ensure that judges base their decisions solely on American law.

Therefore, Mr. Speaker, I urge my colleagues to do their Constitutional duty to ensure that American citizens have American justice by cosponsoring the American Justice for American Citizens Act.

## SENATOR BYRD CASTS HIS 17,000TH VOTE IN CONGRESS

**HON. NICK J. RAHALL, II**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 1, 2004*

Mr. RAHALL. Mr. Speaker, on January 8, 1959, ROBERT C. BYRD, my friend and mentor, cast his first vote in the U.S. House of Representative. Today, he cast his 17,000th vote in the U.S. Senate. I was with him on the Senate floor for this historic occasion.

This is a singular achievement. One that reveals not only the dedication of the Senior Senator from my home State of West Virginia, but also his willingness to put into action the words he so eloquently articulates on the floor on the U.S. Senate.

Though many will say, and I agree, that there is not a better speaker today than Senator BYRD, he is not a man of talk, he is a man of action, as this milestone indicates.

With each vote, Senator BYRD sets a new mark of public service achievement, but as Senator BYRD said himself, "It isn't necessarily the quantity of the votes that count. It is the quality of the vote."

And, if a Senator were to cast but a lone vote in a senatorial tenure as short as a moment, the words of ROBERT C. BYRD on the floor of the U.S. Senate will still ring out loudly, clearly, and forthrightly to generations with time, "(w)e are, at one and the same time, the sons of sires who sleep in calm assurance that we will not betray the trust that they confided to our hands; and the sires of sons who wait confident, in the beyond, that we will not cheat them of their birthright."

Indeed, we honor cherish and learn from those generations before us and we must always live, work, and strive on behalf of those generations yet unborn.

I agree with Senator BYRD. It is the quality of the vote, and I would also add another. With Senator BYRD, it is the quality of the man.

With his steadfast service to the people of West Virginia, and his dogged defense of the U.S. Constitution, Senator BYRD's quality shines through like the brightest of beacons on the darkest of nights.

They say that records are made to be broken, but I believe this record will never be broken, just as nothing will ever break Senator BYRD's spirit and his love for his State.

Senator BYRD continues to be my mentor and most importantly my friend, and I would like to offer my heart felt congratulations to Senator BYRD for this remarkable achievement.

#### PAYING TRIBUTE TO CHRIS JOUFLAS

**HON. SCOTT MCINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 1, 2004*

Mr. MCINNIS. Mr. Speaker, it is a privilege to rise today and pay tribute to Chris Joufflas of Grand Junction, Colorado, for his dedication to his community, state, and nation. Chris has spent his life as a sheep rancher in the mountains and valleys of Colorado and Utah, and has done much to better his Colorado community.

Chris' father immigrated to the United States in 1907, and was one of the first Greek immigrants to arrive on the Western Slope. He started the family ranching business in 1910, and it soon grew to thousands of acres for ranching and grazing in Colorado and Utah. Soon after marrying his wife Connie in 1953, Chris took over the family ranching business and successfully guided it until 1992. The family still owns a 2000-acre ranch near Wolcott, Colorado, where Chris' oldest daughter and family live, and Chris stays actively involved with the ranching community.

For anyone who has skied the beautiful slopes in Vail, Colorado, they probably have Chris, and the Greek liqueur Ouzo, to thank in part. In the 1960s, and then again in the 1970s, Chris sold parts of his sheep herding land to Vail Associates in deals brokered by Chris's favorite bargaining tool, Ouzo. These legendary deals allowed for some of Vail's most well known runs to be created, and a ski run has since been named after the Greek liqueur.

Mr. Speaker, it is with a great deal of satisfaction that I rise and pay tribute to Chris Joufflas before this body of Congress and this nation today. It is clear that he has spent his life dedicated to the Colorado ranching community and the State of Colorado. It is my pleasure to honor Chris here today, and wish him the best in his future endeavors.

#### TRIBUTE TO CESAR CHAVEZ

**HON. LORETTA SANCHEZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 1, 2004*

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to pay tribute to Cesar Chavez, a man who bravely fought against labor injustices and paved the way for the many rights enjoyed by this nation's workers.

Mr. Chavez grew up on the fruit and vegetable fields and learned first hand the plight of labor workers and the terrible conditions they endured.

Chavez rose from those fields and became the head of the United Farm Workers of America. When the UFW began their strikes in the 1960's in protest of the treatment of farm workers, Chavez led the successful cause with support from unions, church groups and students.

After the strikes were over, Chavez maintained the fight to ensure greater minority rights by fighting for greater educational and political opportunities.

One can not deny the great impact Chavez had on the millions of labor workers in this country. His bravery and determination proved that blue-collar workers are an invaluable part of the American economy.

#### MEDICAL MALPRACTICE RELIEF ACT OF 2004

**HON. MAX SANDLIN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 1, 2004*

Mr. SANDLIN. Mr. Speaker, the root causes of the crisis in our Nation's medical malpractice insurance system are numerous and complex. Unfortunately, while Congress debates the various approaches to reform, doctors, hospitals, and other healthcare providers face the harsh reality of skyrocketing premiums today.

Ensuring that Americans continue to have access to doctors of all specialties while Congress finds a comprehensive solution to this crisis is crucial. A temporary, but immediate malpractice premium tax credit would provide much-needed relief to healthcare providers who want to continue offering care, but are struggling to pay their malpractice premiums.

Therefore, Mr. Speaker, I am pleased to join today with 30 of my colleagues in introducing the Medical Malpractice Relief Act of 2004, which would allow doctors, hospitals and nursing homes to claim a tax credit for a percentage of the malpractice premiums they are paying and will pay during tax years 2004 and 2005.

Doctors who specialize in an area with increased risk of complications would be eligible for a tax credit equivalent to 20 percent of their total malpractice premium. The credit could be taken for premiums up to twice the average for a similarly situated doctor, i.e. same specialty and geographic area.

High-risk doctors include those in all surgical specialties and subspecialties, emergency medicine, obstetrics or anesthesiology; or who do interventional work that is reflected in their malpractice premiums.

Doctors who practice in lower risk specialties, such as general medicine, allergy, dermatology and pathology would be eligible for a tax credit equivalent to 10 percent of their total malpractice premium. The credit could be taken for premiums up to twice the average for a similarly situated doctor, i.e. same specialty and geographic area.

For-profit hospitals and nursing homes would be eligible for a tax credit equivalent to 15 percent of their total malpractice premium. The credit could be taken for premiums up to twice the average for a similarly situated hospital.

As many American hospitals and nursing homes are nonprofit institutions that do not pay taxes, this legislation would establish a 2-year grant program in the Health Resources Services Administration at the Department of Health and Human Services.

Nonprofit hospitals would be eligible for grants up to 15 percent of their malpractice premiums. The maximum allowable grant would be for premiums up to twice the average malpractice premium among similarly situated hospitals.

Mr. Speaker, medical providers across the country are facing a crisis, and they need our help now. Accordingly, I urge my colleagues in the People's House to act now to provide physicians, hospitals, and nursing homes the relief they need, so that they can turn their full attention to their genuine calling—caring for our Nation's health. I hope the House will take up this carefully targeted piece of legislation soon and provide our Nation's health care providers the relief they need.

#### RECOGNIZING RICHARD F. FURIA

**HON. JIM GERLACH**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 1, 2004*

Mr. GERLACH. Mr. Speaker, I rise today to recognize Richard F. Furia, the 2004 Man of the Year of the Ivy Ridge Lodge 251, Grand Lodge of Pennsylvania, of the Order of Sons of Italy in America, for his dedication to the people of the greater Philadelphia area and for his work in the Italian-American community.

A resident of Lower Merion Township, Montgomery County, Rick Furia has practiced as an attorney in Southeastern Pennsylvania since 1971. He succeeded his father, the late U.S. Magistrate Edward W. Furia, Sr., into the profession and has served as a leader in many professional, fraternal and community organizations. Currently, he serves on the Philadelphia Bar Association's Board of Governors, Executive Board of Volunteers for the Indigent Program (VIP) and is Co-Chair of their Solo and Small Firm Committee. Rick is also a member of the Philadelphia Bar Foundation's Hamilton Circle, the charitable wing of the Association. He is an active member of the Philadelphia, Pennsylvania and American Trial Lawyers Associations and the American Bar Association. He is also a member of several other local organizations and institutions, including the Executive Board of the Lawyers Club of Philadelphia, the Pennsylvania Defense Institute, Russell Conwell Society of Temple University School of Law, the Amici Society—Center for Italian Studies of the University of Pennsylvania and the Opera Company of Philadelphia's Bravi Circle Advisory Board.