

these contractors have been implicated in the abuses of Iraqi prisoners. The legal status of these contractors in war zones is a murky area. How do we hold these contractors accountable?

The abuse of prisoners in Iraq has severely damaged our standing in the world and undercut our efforts in Iraq, Afghanistan and the Middle East. The real tragedy is that it was avoidable. Our troops and the American people have been let down by a failure of leadership. Real leadership is now required to attempt to limit the damage that has been done.

ON THE NOMINATION OF JON DUDAS TO BE UNDER SECRETARY OF COMMERCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. HYDE) is recognized for 5 minutes.

Mr. HYDE. Mr. Speaker, it gives me great pride to inform my colleagues that Jon Dudas, former counsel to the Speaker, and former key member of my staff when I was Chairman of the House Judiciary Committee has been nominated by the President to the crucial post of Under Secretary of Commerce.

I include my testimony in support of his nomination before the Senate Judiciary Committee for the information of my colleagues.

STATEMENT OF THE HONORABLE HENRY J. HYDE

Mr. Chairman and Members of the Committee,

It is a pleasure to be here today to support the President's excellent choice for the crucial position of Under Secretary of Commerce, Jon Dudas.

I have known Jon for almost a decade. After he graduated from law school at the University of Chicago, he came to Capitol Hill and worked in my congressional office as a legislative counsel. When I first became Chairman of the House Judiciary Committee, Jon moved over as counsel to the Subcommittee on Courts and Intellectual Property which has jurisdiction over the complex issues of patent law. Shortly thereafter, I named him Staff Director and Deputy General Counsel of the full Judiciary Committee. During those extremely busy and trying years for the Congress and the Committee, I came to know Jon very well, and I became personally acquainted with his strong leadership, tremendous loyalty, unwavering integrity and the ability to accomplish his assigned mission under tremendous pressure.

When I first got to Congress, I learned an important lesson. If you want something done, you talk to the Member, and then you go to the "staffer who makes the Member look good." During his service on Capitol Hill, Jon was one of the people who made me look good.

In his position on the Judiciary Committee staff, Jon helped me manage the most productive committee in the Congress—more than one out of five bills considered by the House during the 105th and 106th Congresses went through the Judiciary Committee. Our Conference relied upon him to help achieve some of their most important goals during that period.

With mixed feelings, I encouraged Jon to leave the Committee staff when the Speaker asked him to serve as his chief floor manager and legal policy advisor to the House Leadership. Jon played a critical role in advancing legislation to support the war on terror.

Jon left the Hill when our former colleague, Jim Rogan, was appointed to be

Under Secretary of Commerce and Director of the United States Patent and Trademark Office. As the Assistant Secretary immediately under Jim Rogan, Jon played an integral part in implementing the President's Management agenda and in developing the 21st Century Strategic Plan—a comprehensive map to move the Patent and Trademark Office from its crisis situation to one of improved quality, quicker issuance of patents and increased efficiency. His ability to relate and work well with others and his good relationships with Members of Congress will be critical in achieving the difficult task of passing the Administration's fee bill that will implement the strategic plan. Just as important, because he has been serving as Under Secretary Rogan's right hand for the last two years and currently as Acting Under Secretary, Jon will provide continuity at the Patent and Trademark Office.

The issue of this government's position on patents is a critical one in this ever-expanding world of scientific progress. I can think of no one better qualified to lead the Patent and Trademark Office. I urge the Committee to confirm this fine public servant as Under Secretary of Commerce so that he may continue to serve the best interest of the American people.

Thank you again for this opportunity to appear before you today.

ORDER OF BUSINESS

Mr. BURNS. Mr. Speaker, I ask unanimous consent to take my special order at this time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

HONORING THE TEACHERS OF AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BURNS) is recognized for 5 minutes.

Mr. BURNS. Mr. Speaker, I rise today to extend my appreciation to the teachers of America. As we celebrate National Teacher Appreciation Week, it is important that we recognize the good people of this Nation who hold the keys to our future and the future of our children, the unselfish, dedicated teachers who spend their days taking care of America's future.

Our teachers help our children in many ways. They are leaders. They are inspirations that provide students with the foundation that they take with them for a lifetime, and they learn to believe in themselves. When we succeed, they are guiding us to our next great accomplishments. When we fail, they are the understanding hearts that lift us back up. Teachers are truly noble professionals.

In 1944, Mattye Whyte Woodridge, an Arkansas teacher, began corresponding with political educational leaders about establishing a national observance to honor members of the teaching profession. This effort came to fruition when Congress proclaimed National Teacher Day in 1953.

I encourage those with children in school to offer their support and their

thanks for the work done by our children's teachers. As a former educator, I know that your appreciation for their efforts will be most welcome.

I want to express my gratitude and thanks to the teachers who helped me many years ago. Inez Grovenstein, who got me through first grade; Mary Brunson, who guided me through fifth grade after I lost my mother tragically at the age of 10; and Mary Catherine Counts, who solved the mysteries of high school math too many years ago.

These are teachers much like teachers around our Nation who have made a lasting impression on the minds of young America and whose lessons I greatly appreciate.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Mr. STUPAK. Mr. Speaker, I ask unanimous consent to take my special order at this time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

RUMSFELD TERMINATION/ INVESTIGATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. STUPAK) is recognized for 5 minutes.

Mr. STUPAK. Mr. Speaker, I rise today for two reasons: to call for President Bush to fire Secretary of Defense Donald Rumsfeld for failing to act upon reports of the disgusting photographs and inhumane treatment of Iraqi prisoners, and I also call upon the U.S. House of Representatives to hold hearings into the role private contractors may have played in these incidents.

Mr. Speaker, President Bush has repeatedly allowed the United States' reputation with the international community to be tarnished and has not held his appointees accountable for this damage. Whether it was going to war based upon inaccurate intelligence information, or White House officials exposing the identity of one of our own CIA operatives, or the most recent revelation about the inhumane treatment of prisoners at Abu Ghraib Prison in Iraq, President Bush refuses to hold his people accountable.

According to recent media reports, administration officials, including Secretary Rumsfeld, have known about these abuses for months, yet they failed to act on repeated recommendations to improve conditions for thousands of Iraqi detainees. In response,

Mr. Rumsfeld only received a private scolding from the President.

This is not a minor problem that can be fixed with just a slap on the wrist or by buying million-dollar ads to redefine history. The international community is appalled and upset at the cowboy arrogance and actions of this administration. Wild west tactics do not work anywhere, especially in the Middle East.

Mr. Speaker, I call upon the House Committee on Government Reform to hold hearings into the government-paid contractors in Iraq who may have played a role in the actions in Abu Ghraib Prison. In addition, in a letter sent to the Department of Justice earlier this week, I and 27 other Members asked the Attorney General to investigate those contractors.

We need to get to the bottom of this situation right now and show American citizens and the international community that such actions will not be tolerated. The damage inflicted upon the United States' reputation will take years, if not decades, to repair. We need to hold our government officials accountable for their actions, just as we hold other governments accountable, and it needs to start with Secretary of Defense Rumsfeld's termination.

Mr. Speaker, I would also like to submit to the RECORD today's Washington Post editorial on the leadership decisions made by Secretary Rumsfeld since the beginning of this administration. The Secretary announced that the United States would no longer be bound by the Geneva Convention, that Army regulations on interrogation of prisoners would not be observed, and that many detainees would be held incommunicado and without any independent mechanism for review.

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As the Post stated, "Abuses will take place in any prison system, but Mr. Rumsfeld's decision helped create a lawless regime in which prisoners in both Iraq and Afghanistan have been humiliated, beaten, tortured and murdered, and which until recently, no one has been held accountable."

It was only when photographs of these incidents made it into the press that Secretary Rumsfeld paid much attention. According to media reports, he had not even read the reports on these abuses that was completed in March.

I find it very troubling that our own Secretary of Defense was so dismissive of the abuses that may have taken place under U.S. oversight in Iraq and Afghanistan.

Again, I call upon the President to fire Mr. Rumsfeld, and I call upon the House of Representatives to hold hearings about the role private contractors and the intelligence community may have played in these incidents.

NATIONAL DAY OF PRAYER AND THE WAR ON TERRORISM

The SPEAKER pro tempore (Mr. COLE). Under a previous order of the

House, the gentleman from New Mexico (Mr. PEARCE) is recognized for 5 minutes.

Mr. PEARCE. Mr. Speaker, I rise to address this body on the National Day of Prayer.

The Constitution—in a word—is the document that defines the values and principles of America.

Nearly 220 years ago, a few men, with extraordinary vision, used the lessons that history taught us to create this binding document that has served as the burning touch of our Nation's freedom. But over time, that flame has been dimmed, and its power has been mitigated, and before we know it, it will be a dull light that is indecipherable.

You see, over time, Mr. Speaker, we have let the Judiciary, slowly chip away the freedoms that are guaranteed to us under the constitution—chipping away so much that some of our liberties are unrecognizable.

For example, Mr. Speaker, the First Amendment to the Constitution says, "Congress shall make no laws respecting an establishment of religion, or prohibiting the free exercise thereof . . ." It says that those of us who have faith in a Higher Power have the right to pray, express our beliefs.

Yet, our Federal Judges have ruled out prayer in schools. They have ruled that the Pledge of Allegiance, particularly, ". . . one Nation, under God . . ." is a violation of separation of state doctrine. Those who would ban our inalienable right to express our beliefs in a higher power selectively choose to cite the first part of the clause that says "Congress shall make no laws respecting an establishment of religion . . ." They leave the second part, which says ". . . or prohibiting free exercise thereof . . ."

Congress opens up every session with a prayer, the President of the United States uses a Bible when he is sworn into office by the Chief Justice of the Supreme Court. The Declaration of Independence, arguably the single most powerful political document in world history, mentions God in the first paragraph and "divine Providence" in the last.

Religion in the public sector is not prohibited by the Constitution, the Constitution is what makes our ability to freely exercise our belief possible!

The Second Amendment to the Constitution says, "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." Some would argue, and unfortunately some have successfully done so, that this is not an individual right, but a collective right associated with service in a militia, or in modern terms the National Guard.

The Founders had a profound understanding that individuals and their rights were the only true check against an overzealous government. After all, they had just defeated one that sought to control access to arms.

Just a moment ago I added emphasis on the "people." I did so because right belongs to them, not the President and most assuredly not the Federal Government.

The Fifth Amendment says unequivocally that no person shall ". . . be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without due compensation."

Yet Mr. Speaker, in my district of Southern New Mexico, we can't water our crops be-

cause our water is being diverted for a minnow based on science that only a writer of fiction could love. We have people who are prevented from using their God-given resources to feed, clothe, house and provide energy for their neighbors.

The Endangered Species Act, Mr. Speaker, was noble in its intent and just in its cause. Not one of us would seek the termination of a species. Yet the law has been twisted, turned and implemented in ways that directly violate our constitutional rights. Simply stated, and directly supported by the plain wording of the 5th Amendment, Uncle Sam can't take our property without due process. He definitely can't take it without compensating for the loss. So we must ask ourselves, when does it matter to us enough to make a difference?

And the Tenth Amendment says that we have States Rights, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." Yet the Federal government, at the behest of highly objectionable rulings by the courts over the last 100 years, has intruded on every aspect of our lives and ignored those rights reserved for the states and the people.

We know that we live under a constitution, but we are living in a time when the Constitution only means what the Judiciary says it means—simply stated, we can't let that happen.

The constitution has been tyrannized by people who honestly believe that we are incapable, as a free people, of living our lives in the manner that best serves us and our families. The courts have been willing accomplices and many of the core freedoms that are guaranteed to us under the constitution have been slowly but continuously taken from us.

I believe that the Constitution has been treated unjustly by the courts, and I believe we need to take a look at how our Constitution—this symbol of freedom—can be returned to its rightful place as the foundation of our freedom—instead of being just another document that tourists visit at the National Archives in Washington.

Thomas Jefferson, James Madison and the Framers of the Constitution feared tyranny from the judiciary more than from the other two branches, so they placed deliberate limitations on the judiciary.

As a result, under their plan, "the Judiciary is beyond comparison the weakest of the three departments of power . . . [and] the general liberty of the people can never be endangered from the quarter."

These are not my words, but taken directly from the Federalists Papers. Can there be any doubt that our forefathers saw a danger to our way of life and intentionally erected a wall of separation to protect us from it?

There shouldn't be a doubt, but it stares us in the face every day.

The bottom line is, Americans should not have to fear "judge-made laws" as a reality of life. We elect our legislators to make our laws, we elect the executive branch to implement those laws, and the judiciary is charged with holding people accountable to these laws and determining the constitutionality of laws.

There should be no doubt, either, that government is the greatest, if not only, threat to individual liberty. Neither the United States, nor any of the branches of the government, nor the states, is the ultimate authority of the