

worse. I urge my colleagues to support the Clean Water State Revolving Fund and the Obey amendment.

RECOGNIZING REVEREND DOCTOR  
EARL ABEL

**HON. EMANUEL CLEAVER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 23, 2005*

Mr. CLEAVER. Mr. Speaker, I rise today to pay tribute to Reverend Doctor Earl Abel, a remarkable and compassionate leader whose legacy has touched so many Kansas Citizens. After an extended illness, Reverend Abel passed on May 17, 2005. His is a deep loss felt by his family, his church congregation, the greater Kansas City community, the State of Missouri, and most assuredly, our nation. Reverend Abel will long be remembered for his social activism and advocacy on behalf of those individuals suffering from poverty, homelessness, and injustice. He fought for the common person and his influence was far reaching, both inside and outside the African American community.

His calling brought him to organize and pastor the Palestine Missionary Baptist Church of Jesus Christ in January, 1959. His initial congregation consisted of 11 members. His present church membership is in excess of 2,000 members.

In this era where the term "faith based initiative" is a buzzword on Capitol Hill, Reverend Abel was one who took this phrase to heart, and applied it in the Kansas City community long before it was a politically popular phrase. It has been said that economic development is the last frontier of the civil rights movement. Reverend Abel was quoted in the Kansas City Star, our local newspaper, as saying, "The black churches put ourselves in this role, because we felt the community needed development, and there was nobody to develop it. We're a church, and part of our mission is to try to provide what the community needs." In providing the community's needs, he championed the building of Palestine Camp, a \$5 million youth summer camp. He also built two housing complexes which house 118 senior citizens called Palestine Gardens, and a \$2.5 million activity center.

Rev. Abel attended the University of Kansas and received his Doctorate of Divinity from Western Baptist Bible College. He was appointed by Governor Mel Carnahan to the Appellate Judicial Commission at a time when there were few minority or women representatives amongst the 39 judges on the Missouri Supreme Court and the Court of Appeals. There are now nine female judges and five African American judges on those benches, including the Chief Justice of the Missouri Supreme Court, Justice Ronnie L. White.

In 2002, he was vice chairman of a successful public safety sales tax campaign, which provided for new and renovated police facilities, replacement of aging ambulances, new tornado sirens, and other public safety capital improvements. In May 2003, Reverend Abel was appointed to the advisory board for U. S. Senator CHRISTOPHER BOND's "Kansas City Engine for Economic Development Fund." He most recently served as Chaplain for the Kansas City, Missouri Police Department and

has served as past President of the Baptist Ministers Union of Kansas City, the Kansas City Council on Crime Prevention, and was twice appointed to the Kansas City Human Relations Commission.

He served on Boards of the Heart of America United Way, the Local Investment Commission (LINC), Douglass National Bank, and was an Early Childhood Commission member for the Missouri Department of Social Services.

Mr. Speaker, please join me in expressing our heartfelt sympathy to his wife, Hazel Lair Abel, his children, Carol and Rick, his five grandchildren, and his many relatives and friends. I urge my colleagues to please join me in conveying our gratitude to his family for sharing this great man with us, and to accept our condolences for their tremendous loss. He was an inspiration to us all.

TRIBUTE TO THE HONORABLE  
MARGARET SMITH, RETIRED  
SENATOR OF THE GENERAL ASSEMBLY OF THE STATE OF ILLINOIS

**HON. BOBBY L. RUSH**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 23, 2005*

Mr. RUSH. Mr. Speaker, I rise today to recognize and honor the life of the Honorable Margaret Smith who made her heavenly transition on Monday, May 16, 2005. Senator Smith served with distinction in the Illinois General Assembly for 22 years until her retirement in December, 2002.

Prior to her 20-year tenure in the Illinois State Senate, Senator Smith served one term as a member of the Illinois House of Representatives. Senator Smith served as the chairwoman of the influential Senate Public Health and Welfare Committee, where she had the distinction of being the first female State Senator in the United States to serve as the chairperson of the same committee chaired previously by her spouse, the late Senator Fred J. Smith.

Senator Smith has been recognized for her sponsorship and support of legislation on health care and women's issues, including requiring Illinois to cover the cost of mammograms for poor women, requiring insurance companies to cover mammograms, protecting senior citizens in nursing homes and assisted living facilities, improving the child immunization system in Illinois; and accordingly received the coveted "Legislator of the Year Award" from every major public health organization in Illinois, including the Illinois Nurses' Association, the Illinois Health Care Association, and the Illinois Hospital and Health Systems Association.

A recognized national leader, Senator Smith served as a member of the National Conference of Black State Legislators, the Midwestern Legislative Conference, and the National Conference of State Legislators, NCSL, serving as the chairperson of the NCSL's Health and Human Services Committee.

Mr. Speaker, I want to encourage all those whose lives were touched by this gentle stateswoman, the Honorable Margaret Smith, to always remember to look to the hills from which comes all of their help. Senator Smith

was an anchor within the Illinois governmental and political landscape. I am truly blessed to have known, worked with and supported her. I am honored to pay tribute to this outstanding public servant and am privileged to enter these words into the CONGRESSIONAL RECORD of the United States House of Representatives.

HONORING CARL BROWN

**HON. MARSHA BLACKBURN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 23, 2005*

Mrs. BLACKBURN. Mr. Speaker, it's not every day that I get the opportunity to recognize someone who has demonstrated tremendous dedication to public service. But today I have just such an opportunity.

I ask my colleagues to join me in thanking Carl Brown, Tennessee's Department of Human Services Assistant Commissioner, for being one of those people who makes government work better.

Carl has served our State for more than 4 decades and he's done a magnificent job. The thousands of disabled Tennesseans he has helped over the years know exactly what I mean when I say that Carl has lived to serve others. He has always known that there are few higher callings in life than helping those in need. And we are grateful for him.

While I'm thankful for Carl and his service to our State, we will miss his work at the Department of Human Services when he retires this May 2005.

All of us in Tennessee wish Carl and his wife, Mary Frances, a wonderful retirement with their children and grandchildren.

INTRODUCTION OF LANDLESS  
ISSUE

**HON. DON YOUNG**

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 23, 2005*

Mr. YOUNG of Alaska. Mr. Speaker, today, I am introducing legislation which will correct an injustice to five Southeast Alaska Native villages.

For over 25 years, the Southeast Alaska Villages of Haines, Ketchikan, Petersburg, Tenakee and Wrangell have been denied fundamental rights and compensation afforded other Alaska Native villages under the Alaska Native Claims Settlement Act (ANCSA). ANCSA fails to recognize these five villages for the purposes of establishing urban or village corporations under the Act. Consequently, the Alaska Natives from these villages have been denied the rights afforded other Alaska Natives to proper settlement under ANCSA of historical land claims.

A significant number of Natives enrolled at each of the villages of Haines, Ketchikan, Petersburg, Tenakee and Wrangell during the original ANCSA process, but they were denied the opportunity to establish village or urban corporations in 1971. Consequently, although Natives enrolled to these villages during the ANCSA process and did become at-large shareholders in the regional corporation for

Southeast Alaska, Natives from these five communities were denied rights to land and local resources that Natives enrolled to other village and urban corporations in Southeast Alaska received under ANCSA.

ANCSA prohibits the Native villages in Southeast Alaska from obtaining an administrative and/or judicial solution. Section 11 of ANCSA establishes a general process for determining Native village eligibility for villages outside Southeast Alaska. A completely different process was set forth under Section 16 of ANCSA for determining the eligibility of Native villages in Southeast Alaska. Unlike Section 11, there is no provision in Section 16 providing an appeal right or other procedures for qualification of Southeast Alaska Native villages not included in the original list.

Appeals to the Alaska Native Claims Appeal Board of the U.S. Department of the Interior in 1974 and 1977, on behalf of Natives enrolled to the villages of Haines, Tenakee and Ketchikan were denied based on a narrow, technical reading, of ANCSA Section 16. The Appeals Board ruled that Section 16 prevents the Board from even considering whether "unlisted" Southeast villages could be determined eligible for benefits, thus precluding any administrative or judicial redress.

In 1994, a congressionally directed study determined the omission of these Southeast Alaska Native villages from ANCSA to be erroneous. In 1993, the Federal government contracted with the Institute of Social and Economic Research (ISER) at the University of Alaska, Anchorage, to prepare a report on the status of these villages. ISER presented its report to Congress in February 1994, concluding that the eligibility requirements for villages eligible to form Native corporations were met by the Native communities of Haines, Ketchikan, Petersburg, Tenakee and Wrangell. The report notes that, with the exception of Tenakee, the communities appeared on early versions of Native village lists, and their subsequent omission was not clearly explained in any provision of ANCSA nor in the accompanying legislative history. In short, the ISER report found no distinction between the five communities and other Southeast Alaska communities listed in Section 16, and thus no justification for omission of these five Southeast Native communities from ANCSA.

A solution to the myriad of issues that have prevented a resolution to this situation has presented itself in past congressional sessions. These past legislative attempts have failed for a variety of reasons outside the control of the Southeast Alaska Native villages. My legislation addresses these issues and seeks to build a solid, bipartisan coalition of support among key members of Congress, the Administration, and other outside interest groups. The legislation presents a compromise that has been favorably received by the affected villages, Sealaska Corporation, the state and others. The elements of the compromise include the following:

The Native residents enrolled to the five Native villages will be allowed to organize five urban corporations, one for each unrecognized community.

The newly formed Corporations would be provided the following compensation package:

The Congress would recognize the five communities as Alaska Native Villages, pursuant to the Alaska Native Claims Settlement Act.

The Secretary of the Interior would offer, and the Urban Corporation for each community could accept, the surface estate to approximately 23,000 acres of forest lands.

Sealaska Corporation, the Native Regional Corporation for Southeast Alaska, would receive title to the subsurface estate to the designated lands.

The Urban Corporations for each community would receive a lump sum payment to be used as start-up funds for the newly established Corporation.

The Secretary of the Interior would determine such other appropriate compensation to redress the inequities faced by unrecognized communities for the past 30+ years.

I thank my colleagues and urge your support for this important legislation for five Southeast Alaska communities.

TRIBUTE TO MS. CYNTHIA DUNN  
KEARLY

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2005

Mr. MORAN of Virginia. Mr. Speaker, I rise today to honor a teacher who has made an impact on our community through selfless dedication and commitment to her students. Ms. Cynthia Dunn Kearly is a special education teacher at Douglas MacArthur Elementary School in Alexandria, Virginia. But to her students and their families, she is much more than that. An educator with gifts of creativity and passion, Ms. Kearly serves as an inspiration for what great instructors can offer.

At Douglas MacArthur Elementary School, Ms. Kearly is regularly asked to take students with special needs and foster in them confidence and success. Her work with students has not only earned her the respect of parents and her colleagues, but has also won her numerous accolades locally and nationwide. As an educator in the Alexandria City Public School system, Ms. Kearly was a recipient of the Harry Burke Award for Outstanding Performance in Special Education. This honor has been bestowed on many great teachers and Ms. Kearly's selection follows perfectly in this tradition.

Additionally, Ms. Kearly's exemplary work is being recognized nationally as well. She is one of three teachers nationwide to be awarded the 2005 Commonwealth Academy Recognition for Educators (CARE) Award. The CARE award recognizes outstanding educators who have made significant contributions to leaving no child behind in their local communities. The focus of the award is to highlight teachers who work with students that have organizational, attention and learning challenges. To her coworkers and supervisors, there is little doubt that Ms. Kearly is a worthy recipient. The Superintendent of Schools for the City of Alexandria has said about her that "She truly exemplifies the kind of professional who should be recognized and honored for her great work with special needs students."

Mr. Speaker, I am proud to have Ms. Kearly teach within Virginia's Eighth Congressional District. She is transforming lives with her selfless dedication to serving young people in our community. I often remind friends and neighbors that good teachers are among our great-

est assets in Northern Virginia. For this reason, we must take opportunities to encourage our best and brightest to commit themselves to this service, but also to thank the men and women already giving so much of themselves.

TRIBUTE TO THE LATE MARK  
ELMORE

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2005

Mr. MOORE of Kansas. Mr. Speaker, I rise today to pay tribute to Mark Elmore of Olathe, who worked and guided Johnson County Developmental Supports, JCDS, for 27 years. Sadly, Mark Elmore died Sunday, May 15, at the age 61. I knew Mark Elmore. He was a good and decent man.

Based in Lenexa, JCDS is a comprehensive community service agency that supports Johnson County people of all ages with mental retardation and other developmental disabilities, along with their families. It provides direct services to more than 500 individuals daily. Elmore joined the agency as executive director in 1978. His leadership moved the agency from a period in the late 1970s, when staff cutbacks were a reality and financial stability was threatened, to the steady growth and fiscal solvency JCDS enjoys today.

Annabeth Surbaugh, chairman of the Johnson County Board of Commissioners, led the Johnson County community in mourning the death of this dedicated and well respected leader. As she stated publicly on learning of his death, Mark Elmore's commitment to JCDS was total. He took tremendous pride in the accomplishments of JCDS, leading the highly recognized agency through nine consecutive 3-year national accreditation awards. His self-imposed job description included doing whatever was needed to provide the best services and programs to consumers with special needs to enhance their overall quality of life.

Chairman Surbaugh noted that in the early years of developing JCDS, Elmore was known to have taken clients into his own home, to visit them in their homes and at work, and to even shovel snow off sidewalks outside the facility to ensure the safe arrival of both staff and consumers. "Johnson County has lost a great man with a great heart and a great friend. Mark Elmore was a man of high principles. His encouragement, dedication, and compassion for the special-needs community set an example for all of us," Surbaugh said. "He was the heart and soul of JCDS."

Mark Elmore also was well known throughout the state of Kansas, becoming a driving force in creation of developmental disability programs and legislation in the state. Elmore was a key player in the development and implementation of the 1995 Developmental Disability Reform Act, which emphasized opportunities for integration and inclusion in community life. Changes ushered in by the Act have resulted in a continued expansion of services and supports at the local level, and the advance of what has now become a coordinated network of individual and agency service providers, which in Johnson County now serves nearly 1,000 individuals and families.

In a statement, Gayle Richardson, chairperson of the JCDS Governing Board, spoke