

will be boys” is indeed common. In fact, the U.N. reported that it encountered significant and widespread resistance to its investigation, and that numerous U.N. personnel were unwilling to identify perpetrators.

The reality, however, is that this state of affairs is not just a private matter involving only the personal moral choices of the peacekeepers. Hundreds of vulnerable women and children are being re-victimized; the reputation of the United Nations is being badly damaged; and lack of internal discipline is compromising security and effectiveness of the peacekeeping operations. From any perspective, this situation is deplorable.

Let me expand on a few of these points. First, United Nations forces conducting operations under United Nations command and control are tasked with upholding international humanitarian law and have a particular duty to protect women and children from sexual assault or exploitation. Peacekeepers have a responsibility to protect the most vulnerable members of Congolese society. When the peacekeepers become the exploiters, something is dreadfully wrong.

Second, the civilian population is especially vulnerable. There are frequent outbreaks of armed violence in the eastern half of the Congo, especially in the provinces of North Kivu, South Kivu and Ituri, as the country emerges from its second war in the last ten years. The civilian population in these areas has experienced systematic acts of rape, torture, murder, and other abuse. Many of the Congolese women and girls in the camps which the peacekeepers are protecting have been orphaned and/or are victims of rape which occurred during the conflicts. Investigators found that they have experienced significant trauma which continues to affect them today.

Poverty and hunger are also significant factors contributing to the abuse. Children driven by hunger approach the peacekeepers seeking food or the smallest sums of money. Many families are cut off from their farmlands because of fear of attacks from militia, and few alternate employment options exist. According to the U.N.’s own investigation, food supplies in some camps are reportedly inadequate.

Third, the continued toleration of sexual exploitation and abuse by U.N. leaders is severely damaging the reputation and the effectiveness of the organization. All troop-contributing nations recognize the Code of Personal Conduct for Blue Helmets as binding. This Code explicitly bans any exchange of money, employment, goods or services for sex, and renders the perpetrators liable to disciplinary action for serious misconduct. In fact, the U.N. has promulgated at least five U.N. codes of conduct prohibiting sexual activity with children (persons under 18 years of age) in the Congo, and yet the practice continues unabated.

This activity is prohibited under rule four of the Code of Conduct for Blue Helmets, the MONUC code of conduct, the Secretary-General’s bulletin on special measures for protection from sexual exploitation and sexual abuse of 2003 (ST/SGB/2003/13), section seven of the Secretary-General’s bulletin on observance by United Nations forces of international humanitarian law of 1999 (ST/SGB/1999/13), and new “non-fraternisation” regulations promulgated by U.N. Secretary General Kofi Annan in a letter to the U.N. Security Council on February 9th. That the abuse continues

and is characterized by internal U.N. reports as “significant, widespread and on-going” appears to indicate there is rather a state of “zero-compliance with zero-tolerance” throughout the mission.

In the words of Dr. Sarah Mendelson, Senior Fellow at the Center for Strategic and International Studies, who testified in a joint issue forum before the House Armed Services Committee and the Helsinki Committee last fall, “Military misconduct is a threat to any mission. When that misconduct involves human rights abuses, it affects the credibility and reputation of peacekeepers and can enrage local populations. When those implicated are also responsible for force protection, they can compromise their main military mission. . . . Those peacekeepers who serve with honor are being tainted by the minority who purchase sex with these women and girls and by the even smaller minority who actively engage in the grave human rights abuse of trafficking.”

The U.N. has struggled with similar allegations regarding peacekeeper misconduct and sexual exploitation in the past ten years in Sierra Leone, Liberia, and Guinea, as well as on the European continent in Kosovo and Bosnia. Some of the underlying issues are complex, such as how to ensure perpetrators are held accountable when no effective U.N. mechanism exists, and Member states are unwilling to prosecute. Yet other simple fixes also exist, such as the creation of an offender database, holding commanders accountable for the conduct of their troops, and banning nations from peacekeeping missions which refuse to take disciplinary action. The seeming reluctance of the U.N. to act on some of these seemingly obvious solutions raises questions about the willingness of leadership to undertake reform, and raises questions about the ability of the U.N. to police itself.

Furthermore, the United States Congress has a fiduciary obligation to do so. The United States is the world’s largest donor to the peacekeeping mission in the Congo, contributing over \$200 million annually, and contributes almost over a quarter of the entire peacekeeping budget of the United Nations. The Administration has asked the Congress for an additional \$780 million for peacekeeping operations in the supplemental budget request.

We hope that continual Congressional efforts will spur needed change, not only in the Congo, but in the standard operating practices of U.N. peacekeeping around the world.

HONORING THE CONTRIBUTIONS OF COMAL COUNTY JUDGE DANNY SCHEEL

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 8, 2005

Mr. CUELLAR. Mr. Speaker, I rise to recognize the dedicated public service of Comal County Judge Danny Scheel.

Judge Danny Scheel is an essential part of Comal County. He is a fifth-generation resident of the county, and has spent a distinguished career in the public sector, holding the positions of Comal County Constable and Comal County Commissioner.

He has also been active as an advocate for his community on the State level. He is a

member of the Alamo Area Council of Governments, represents Comal County on the Texas Association of Regional Councils Service Board and Employee Health Benefits Board, and he is Co-Chairman of the Central Texas County Judges’ Mobility Alliance.

He has been responsible for major improvements in Comal County’s emergency management program. In response to the flood of 1998, he hired an Emergency Management Coordinator and established emergency procedures that helped the county cope with the flood of 2002.

Danny Scheel has been recognized as New Braunfels Citizen of the Year, A Friend of the 4-H, and was selected to interview with the Today Show during the 2002 floods.

Mr. Speaker, he has set a wonderful example of commitment to public service, and I am proud to have this opportunity to thank him.

IN MEMORY OF MR. LEWIS FENTON

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 8, 2005

Mr. FARR. Mr. Speaker, I rise today to honor Lewis Lowry Fenton, who passed away February 10, 2005 at the age of 79. Lewis’s life long dedication to education and community service will forever remind us of the importance of kindness, dedication and outstanding civic leadership.

Born in Palo Alto, California, Lewis completed his undergraduate and law degree from Stanford University. After serving in the Army Air Corps, he partnered with his mentor, J. Hampton Hoge, and established the Hoge and Fenton Law Firm in Monterey, California. After the firm expanded, Lewis remained counsel to two firms, Fenton & Keller in Monterey and Hoge, Fenton, Jones and Appel in San Jose.

Lewis’s keen interest in professional and community activities are extensive and reveal a lifetime of dedication to his career and the improvement of a long list of community organizations. In 1963 he was the president of the Monterey County Bar Association and one of the top civil litigators on the Central Coast. Amongst his many awards he was listed in both Who’s Who in America and the “Best Lawyers in America”. Throughout his life, Lewis showed enduring commitment to teaching law. He was a faculty member at the Hastings College of Law and the Stanford Law School.

Lewis’s civic duties also made a significant impact on the Monterey community. In the Community Foundation of Monterey County, he was the President of the Board of Governors. A board member of many organizations, Lewis made a pioneering contribution to the Community Hospital of the Monterey Peninsula. He was also a founding board member of the Monterey Bay Aquarium and a founding board member of the Board of Trustees for the York School, where he devoted 50 years of extensive involvement.

Mr. Speaker, I wish to remember Lewis for his honorable career and his contribution to our society. Lewis consistently went above and beyond the roles bestowed upon him, and has left a legacy of leadership and inspiration. Our thoughts go out to his family. While he will

be sorely missed, his life will continue to inspire those he touched.

OPPOSITION TO CLASS ACTION
FAIRNESS BILL

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 17, 2005

Ms. McCOLLUM. Mr. Speaker, I rise in opposition to the so-called class action fairness bill. This legislation will close the courthouse doors to thousands seeking justice.

The bill we are considering today pushes almost all class actions into the federal courts and away from state jurisdiction. It is no secret that federal courts are generally less willing to consider complex civil litigation than state courts. They face incredible backlogs with hundreds of criminal drug cases and immigration cases. Federalizing class actions causes delays in getting relief for injured consumers.

Instead of fixing the current system, this legislation is only making it more difficult and time-consuming for Americans with legitimate complaints to have their day in court. Class actions are a critical way for people, particularly those without the resources to battle large corporations, to seek redress from companies for fraudulent behavior, defective products and employment discrimination. A strong class-action system is particularly important given the emergence of evidence proving corporate wrongdoing in recent years. This bill will give banks, credit card companies, insurers, HMOs, drug manufacturers and other big businesses a green light to defraud and deceive consumers without fear of being held accountable. Most troubling, this bill deprives Americans of an important forum—in many cases their only forum—for remedying genuine wrongs.

I support strengthening our class action system and reducing fraud, which is why I voted for a substitute bill. This legislation would ensure that people injured or discriminated against could still get the justice they deserve while making adjustments needed to reduce abuse in the class action system. The substitute puts an end to “coupon settlements” and court shopping. It keeps our class action system accessible and effective by carving out civil rights and worker rights cases. It protects cases brought by state attorney’s general. Lastly, it asks the Administrative Office of the U.S. Courts to report back to Congress on how the new law is working. The substitute is a real improvement in our legal system that will ensure the protection and justice promised to individuals, families and businesses by our Constitution.

HONORING THE CONTRIBUTIONS
OF GUADALUPE COUNTY COM-
MISSIONER CESAREO
GUADARRAMA

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 8, 2005

Mr. CUELLAR. Mr. Speaker, I rise to recognize Guadalupe County Commissioner Cesareo Guadarrama for his outstanding service to his community.

Commissioner Guadarrama is a native of Seguin, Texas. He is the owner of G3 Plumbing, and his experience in small business has given him the skill in leadership and organization that he uses on behalf of his district today.

Guadalupe County Commissioner Cesareo Guadarrama has a long history of civic volunteer activity. He has worked especially hard to help the youth and children of Seguin. He has been a part of many volunteer organizations, including Seguin Youth Services, the Guadalupe County Juvenile Citizens Advisory Council, and the Seguin Noon Lions Club. He served as Director of the Seguin Toys for Tots program, and was a member of the Seguin Independent School District Board of Trustees when it was recognized as the Outstanding School Board in the state of Texas, in 1990.

Cesareo Guadarrama’s work has helped to create a brighter future for the youth of Seguin, and for all of the citizens of Guadalupe County. I applaud him for his spirit of service, and thank him for all he has done for his fellow Texans.

Mr. Speaker, I am proud to have had this opportunity to recognize the achievements of Guadalupe County Commissioner Cesareo Guadarrama.

FOSTER CARE MENTORING ACT OF
2005

HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 8, 2005

Ms. MILLENDER-McDONALD. Mr. Speaker, tonight I’d like to talk about legislation that I recently introduced—The Foster Care Mentoring Act of 2005 (HR 822).

Adopting a child is a life long responsibility, but let me be frank, the way we care for our children, especially children in foster care is a direct reflection of who we are as a society.

The Administration has boldly stated that they will “Leave No Child Behind.” I want to take them up on this pronouncement and extend this idea to the 523,000 children who are in foster care programs throughout this country.

These children cannot be left behind and must be given every opportunity to succeed.

The Foster Care Mentoring Act of 2005, will support the establishment, expansion and op-

eration of programs using a network of public and private community entities to provide mentoring for children in foster care.

Specifically The Foster Care Mentoring Act of 2005, does the following:

Provides \$15 million in grants to States to develop or expand statewide academic mentoring programs for children in foster care.

Authorizes States to use this funding to help recruit, support and train volunteers to serve as a foster youth’s academic and personal advisers.

Authorizes \$4 million to fund a national coordination and media campaign aimed at raising public awareness of the need to get involved in the life of a child waiting for foster care placement.

Engages college and graduate students by making them eligible to have their student loans discharged up to \$2,000 for every 200 hours they serve as mentors to children living in foster care. A total of \$20,000 in student loans incurred by participating college or graduate students would qualify for forgiveness.

My legislation is a good first step in approaching how we can better transition children into loving, supportive homes. But we must do more.

As I stated earlier, there are over 523,000 children in foster care. One in three of these children has been in care for over 5 years. Of the 25,000 children who leave the foster care system each year, they do so without ever having the promise of a permanent family fulfilled.

This is shameful! We must do better. Children in this country need to have a stable adult they can rely on and turn to for support while growing up. Mentoring is an excellent way to meet some of these children most basic needs.

The life experiences of children in foster care put them in a precarious and vulnerable situation. Children in foster care are more susceptible to; drug addiction, depression, delinquency, and pregnancy.

What’s more, the constant turnover in placements for children in foster care makes it difficult for these young people to succeed in school.

Mentoring can make a difference in the life of young people in foster care and provide a lifeline to academic success and better life skills.

Traditional mentoring programs often do not include the type of training and recruitment necessary to equip mentors with the tools they need to most effectively serve the needs of these young people. Those that do yield amazing results:

Current statistics show that for young people who are mentored; 45 percent are less likely to begin using illicit drugs; 59 percent do better academically, and 73 percent set and attain higher life achievement goals.

The need for mentors for children in foster care is clear, however, few states have programs aimed at serving the special needs of this vulnerable population. I ask my colleagues to support H.R. 822 ‘The Foster Care Mentoring Act of 2005.’