

Filemon Vela was born in Harlingen, Texas in 1935. He served as state district judge in Texas for Cameron and Willacy counties in 1975 until he was appointed as a federal judge by President Jimmy Carter in 1980. He served until 2000 when he retired.

Filemon Vela was a strong advocate of education because of his father's strong belief in education. As one of nine children he believed that he would not finish high school, but when his mother died his father motivated him to continue his education. He graduated from Harlingen High School and then went to University of Texas Austin. After serving in the U.S. Army Filemon Vela went to St. Mary's Law school and Doctor of Jurisprudence in 1962. Throughout his career he taped more than 200 radio programs urging children to stay in school and promoting literacy programs.

Reynaldo Garza was the first Mexican-American federal judge in the U.S. when he was appointed by President John F. Kennedy in 1961 to the South Texas bench. In 1979, President Jimmy Carter appointed him to the U.S. Court of Appeals, making him the first Mexican-American appointed to that court. He served his lifetime appointment in Brownsville, Texas.

Reynaldo Garza contributed many things to the Hispanic community, he was the first Mexican American elected to the Brownsville school board, and he worked with the League of United Latin American Citizens to improve the civil rights of Mexican Americans in Texas.

The lifetime accomplishments of both of these men are truly inspirational to us all. By naming the courthouse in Brownsville after them we recognize not only their contribution to the judicial community, but also to the city of Brownsville.

HONORING THE CONTRIBUTIONS OF BRIGADIER GENERAL DR. THOMAS W. TRAVIS

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2005

Mr. CUELLAR. Mr. Speaker, I rise today to recognize Brigadier General Dr. Thomas W. Travis for his dedication to public service.

Brigadier General Dr. Thomas W. Travis is commander of the 311th Human Systems Wing of the Brooks City Base in the great State of Texas. Serving as both a command pilot and chief flight surgeon, he believes strongly that the human being is the real key to developing capable armed forces.

A distinguished graduate of numerous schools and universities, he has earned a Bachelor of Science, a Master of Science degree in physiology, a Doctor of Medicine degree from the Uniformed Services University of Health Sciences School of Medicine, a Master of Science degree in public health, and a Master of Science degree in national resource strategy. His ongoing dedication to knowledge and learning has helped to make the 311th Human Systems Wing, located in Brooks City Base, the excellent unit it is today.

Brigadier General Travis is the recipient of numerous awards and decorations, including the Meritorious Service Medal with four oak leaf clusters, Aerial Achievement Medal, the

Air Force Commendation Medal, the Joint Service Achievement Medal, the Combat Readiness Medal, and the Air Force Recognition Ribbon.

I am proud to honor the many accomplishments and awards of Brigadier General Dr. Thomas W. Travis. His service sets a strong example for all of those who serve under his guidance.

HONORING 35 YEARS OF HISTORY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2005

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Spanish American Federal Credit Union, in the Town of Dover, in Morris County, New Jersey, a vibrant community I am proud to represent. On April 17, 2005, the Spanish American Federal Credit Union is celebrating its 35th Anniversary.

For 35 years, the Spanish American Federal Credit Union has lived up to its purpose by providing basic financial services to its members. The board of directors and administration of the credit union made a commitment in 1998 to improve the quality and delivery of the services provided. To that end, the credit union has made large investments in employee development, a new location and technology.

The credit union's employees are prepared to meet the demands of a growing, more diverse membership that requires top-quality service and commitment. The staff at the Dover, NJ, Spanish American Federal Credit Union maintains a high degree of professionalism and continues to strive for member service excellence. During recent months, the credit union has also made use of technological advances in order to provide its member-owners with better services.

After 30 years, the Dover, NJ, Spanish American Federal Credit Union still follows its purpose faithfully and proudly.

Mr. Speaker, I urge you and my colleagues to join me in congratulating the members of the Spanish American Federal Credit Union on the celebration of its 35 years serving Morris County.

INTRODUCTION OF THE DUE PROCESS AND ECONOMIC COMPETITIVENESS RESTORATION ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2005

Mr. PAUL. Mr. Speaker, I rise to introduce the Due Process and Economic Competitiveness Restoration Act, which repeals Section 404 of the Sarbanes-Oxley Act. Passed in the hysterical atmosphere surrounding the Enron and WorldCom bankruptcies, Sarbanes-Oxley was rushed into law by a Congress more concerned with doing something than with doing the right thing. Today, American businesses, workers, and investors are suffering as a result of Congress's eagerness to appear "tough on corporate crime." Sarbanes-Oxley imposes costly new regulations on the financial serv-

ices industry. These regulations are damaging America's capital markets by providing an incentive for small U.S. firms and foreign firms to deregister from U.S. stock exchanges. According to a study by the prestigious Wharton Business School, the number of American companies deregistering from public stock exchanges nearly tripled the year after Sarbanes-Oxley became law, while the New York Stock Exchange had only 10 new foreign listings in all of 2004.

The post-Sarbanes-Oxley reluctance of small businesses and foreign firms to register on American stock exchanges is easily understood when one considers the costs this act imposes on businesses. According to a survey by Kron/Ferry International, Sarbanes-Oxley has cost Fortune 500 companies an average of \$5.1 million in compliance expenses in 2004, while a study by the law firm of Foley and Lardner found that the act has increased the cost associated with being a publicly held company by 130 percent.

Many of the major problems with Sarbanes-Oxley stem from Section 404 that requires that a Chief Executive Officer certify the accuracy of financial statements and that a company's outside auditors must "attest to" the soundness of the internal controls used in preparing the statements. The Public Company Accounting Oversight Board defines internal controls as "controls over all significant accounts and disclosures in the financial statements." According to John Berlau, Warren Brookes Fellow at the Competitive Enterprise Institute, the definition of internal controls is so broad that a CEO could possibly be found liable for not using the latest version of Windows! Financial analysts have identified Section 404 as the major reason why American corporations are hoarding cash instead of investing it in new ventures.

Journalist Robert Novak, in his column of April 7, said that, "[f]or more than a year, CEOs and CFOs have been telling me that 404 is a costly nightmare" and "ask nearly any business executive to name the biggest menace facing corporate America, and the answer is apt to be number 404 . . . a dagger aimed at the heart of the economy."

Compounding the damage done to the economy by Sarbanes-Oxley is the harm the act does to constitutional liberties and due process. CEOs and CFOs can be held criminally liable, and subjected to up to 25 years in prison, for inadvertent errors. Laws criminalizing honest mistakes done with no intent to defraud are more typical of police states than free societies. I hope those who consider themselves "civil libertarians" will recognize the danger of imprisoning any citizens for inadvertent mistakes, put aside any prejudice against private businesses, and join my efforts to repel Section 404.

Nowhere in the United States Constitution is the federal government given the authority to regulate the accounting standards of private corporations. These questions are to be resolved by private contracts between a company and its shareholders and by state and local regulations. I would remind my colleagues who are skeptical of the ability of markets and local law enforcement to protect against fraud that the market passed judgment on Enron, in the form of declining stock prices, before Congress even held the first hearing on the matter. My colleagues should also keep in mind that certain state attorneys general have

been very aggressive in prosecuting financial crimes

Far from fulfilling the promise of the authors of Sarbanes-Oxley that it would protect economic growth by creating a favorable investment climate, Section 404 of the Sarbanes-Oxley Act has raised the costs of doing business, thus causing foreign companies to withdraw from American markets and retarding economic growth. By criminalizing inadvertent mistakes and exceeding Congress's constitutional authority, Section 404 also undermines the rule of law and individual liberty. I, therefore, urge my colleges to cosponsor the Due Process and Economic Competitiveness Restoration Act.

ACCESS TO LEGAL
PHARMACEUTICALS ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2005

Mrs. MALONEY. Mr. Speaker, today, along with my Republican colleague, CHRISTOPHER SHAYS, and my Democratic colleagues, DEBBIE WASSERMAN SCHULTZ in the House and Senator LAUTENBERG in the Senate, I am introducing the Access to Legal Pharmaceuticals Act, which will ensure that a woman's access to birth control cannot be denied by pharmacists who have personal objections to certain legal prescriptions.

A disturbing trend has recently erupted in drug stores across the nation: some pharmacists are refusing to fill women's prescriptions for legal contraception. It's happening everywhere: in small towns and large cities, in the north and the south. And it's happening to all women, whether they are young or old, married or single, with children or without. In some cases, the pharmacists are refusing to tell women where they can fill the prescription; in others, they are refusing to return the prescription paper back to the women. These women are frequently ridiculed and lectured by these pharmacists about their choice to use birth control pills.

It is incomprehensible that in the 21st century, we are living in a time where women are having to fight for their right to obtain birth control pills. Something must be done so that this assault on privacy does not continue to invade the bedrooms of American women. The Access to Legal Pharmaceuticals Act, ALPhA, protects an individual's access to legal contraception. It requires a pharmacy to ensure that if a pharmacist has a personal objection to filling a legal prescription for a drug or device, the pharmacy will ensure that the prescription is filled without delay by another pharmacist who does not have a personal objection. This act also ensures that if a prescription drug is not in stock, and it is a type of drug that the pharmacy routinely carries, such a drug will be ordered without delay.

A November 2004 poll conducted by CBS and the New York Times indicated that 8 out of 10 Americans believe that pharmacists should not be permitted to refuse to dispense birth control pills. This opinion was strong despite party affiliation—85 percent of Democrats and 70 percent of Republicans polled squarely opposed pharmacist refusals. The Access to Legal Pharmaceuticals Act reiter-

ates the beliefs of the majority of Americans and the principles of our Constitution: that women have a fundamental right of access to birth control.

CALLING FOR THE RELEASE OF
JOSE DANIEL FERRER GARCIA, A
POLITICAL PRISONER IN CUBA

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2005

Mr. ANDREWS. Mr. Speaker, I rise today to call attention to the shameful imprisonment of Mr. Jose Daniel Ferrer Garcia, a pro-democracy activist in Cuba who has been jailed for his outspoken leadership in the Cuban democracy movement.

Mr. Garcia is the regional coordinator for the Christian Liberation Movement in Santiago Province. Through this leadership position, he has mobilized many Cuban youth for democratic change, and has focused on accomplishing the movement's chief objective: to unite citizens that are willing to defend and promote human rights and achieve changes in the Cuban society through peaceful means.

As part of the March 2003 crackdown on Cuban dissidents in which 75 prodemocracy activists were arrested by the Castro regime, Garcia was captured and sentenced to serve 25 years in prison. The prosecution had originally requested that Garcia receive the death penalty. Currently jailed in a prison located in Western Cuba, Garcia is being held over 1,000 kilometers away from his wife and two young sons.

Jose Daniel Ferrer Garcia has dedicated his life to achieving positive change in Cuba. He has worked in an effort to bring the basic rights that we enjoy in the United States to the Cuban people, and has been imprisoned for 25 years because of these efforts. Mr. Speaker, it is imperative that the United States Congress continue to oppose the Castro regime and adhere to the travel and aid sanctions that are currently in place for Cuba. Mr. Garcia, along with his brother Luis Enrique and activists such as Dr. Oscar Elias Biscet, have been willing to risk their freedom so as to ensure that their fellow countrymen can truly be free. They need and deserve the support of the United States, and I ask that my colleagues join me in urging that the Administration call for their immediate and unconditional release.

LIBERTY LIST ACT

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2005

Mr. SCHIFF. Mr. Speaker, in his second inaugural address in January, President Bush declared that "the survival of liberty in our land increasingly depends on the success of liberty in other lands. The best hope for peace in our world is the expansion of freedom in all the world." Today, along with my colleague from Florida, Ms. ROS-LEHTINEN, I introduce legislation to aid that expansion by honoring the work of courageous men and women all over the world who strive to advance human rights

and democratic values within their own countries and throughout the international community.

The Liberty List will be an independent annual report issued by the State Department to highlight the work of individuals and organizations, including the media, who promote the development of liberty, democracy, and respect for human rights. In addition to honoring these individuals and organizations for their important contributions to their societies, the Liberty List will draw attention to the conditions against which the honorees struggle and will offer some protection for honorees by identifying them to the international community. A few individuals and groups, such as Aung San Suu Kyi and her National League, for Democracy NLD, are known around the world for their struggle. Yet, for every individual who is known to the international community, there are many other heroes who deserve recognition and support as they risk their own lives for the improvement of others.

The Liberty List is fundamentally different from the existing State Department Report on International Religious Freedom and the annual Country Reports on Human Rights Practices. Current reports focus on the human rights records of national governments; they deal with the imposition of state power. The Liberty List, in contrast, will spotlight individuals and organizations who are working against that power to build freedom, democracy, and respect for human rights.

Leaders in the struggle for freedom and democracy around the world deserve recognition for the sacrifices and their struggles. It is through the work of individuals, who struggle at the local and national levels to improve the lives of their families, friends, and neighbors, that democracy, freedom, and human rights will prevail. The Liberty List Act will establish a means by which the United States can honor these men and women as they strive to make the world a better, safer place.

I urge my colleagues to join Ms. ROS-LEHTINEN and me as cosponsors of this legislation.

A TRIBUTE TO TIM BURGESS, M.D.

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2005

Mr. BURGESS. Mr. Speaker, I rise today to read into the CONGRESSIONAL RECORD, a tribute to my father, Dr. Tim Burgess, from his close associate and friend, Arvin Short.

Intelligent, competent, compassionate, loving, wise, fatherly, nurturing, clever, witty, emotionally kind and concerned. Harry Meredith Burgess was all of these and more. He was one of the finest people I have ever known and he was literally the best doctor I have ever met.

I came to Denton in 1974 full of vinegar. After meeting and spending 10 minutes with Tim, I knew, without a doubt, that I wanted and had to work with this man. And at that very moment, although I had been to medical school for 4 years and spent 5 years in surgical residency, I began my training as a doctor.

Tim Burgess did not demand, command, plead or suggest. He taught by example, quietly and competently. He, more than any other person in the field of medicine, made me a physician.