

COMMEMORATING THE 90TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

**HON. JOHN J.H. "JOE" SCHWARZ**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 26, 2005*

Mr. SCHWARZ of Michigan. Mr. Speaker, I rise today to join my colleagues in commemorating the 90th anniversary of the Armenian Genocide.

Beginning on April 24, 1915, the Armenian Genocide was a horrific act of mass violence that should be remembered in infamy as one of the most egregious violations of human rights to ever befall this planet.

It is altogether fitting that we should commemorate this horrible tragedy, and that we should take note of a further outrage: that the government of Turkey, as well as that of these United States, to this day—90 years after the crimes began—has failed to recognize the slaughter for what it was: genocide.

We are speaking of the murder of one-and-a-half million people.

Torture, starvation, death marches, the killing of innocent civilians—all crimes against humanity and completely deserving of the world's condemnation.

Today, I join my colleagues from the Congressional Caucus on Armenian Issues in calling upon the administration and the government of Turkey to formally recognize the Armenian genocide. Its time has come.

**LADY MARAUDERS WIN STATE SOCCER CHAMPIONSHIP**

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 26, 2005*

Mr. BURGESS. Mr. Speaker, I rise today to commend the Lady Marauders of Marcus High School in Flower Mound, located in the 26th Congressional District of Texas, on their State Soccer Championship.

The Lady Marauders were coached to victory over North Mesquite by Kevin Albury who described his successful team as being very close-knit, "It's taken six years, but we finally did it. We said this was our time to do it, and our girls came ready to play."

This May, 14 of the winning players will graduate. Twelve of the 14 will continue their soccer career at the collegiate level; a fact that demonstrates the high caliber of the team. The win marked the Lady Marauder's first state title and third trip to the 5A state finals.

I am proud of these young ladies for their hard work and dedication to the sport of soccer. I am honored to represent these students, and their parents, teachers and especially their coach, in Washington. They are wonderful representatives of the great State of Texas, and I know that the Marcus Lady Marauders will continue to see many future successes.

THEODORE OLSON DEFENDS AN INDEPENDENT JUDICIARY

**HON. BARNEY FRANK**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 26, 2005*

Mr. FRANK of Massachusetts. Mr. Speaker, Theodore Olson, most recently Solicitor General under President George Bush from June 2001 until July of last year, is without question one of the leading members of the American Bar, and a very important figure in conservative politics. Mr. Olson understands that there not only is no conflict between an energetic political and intellectual conservatism and a deep respect for an independent judiciary, but that in fact the two are, as American history shows, wholly complementary, and in some ways reinforcing.

On April 21, Mr. Olson published a cogent, well-argued essay in the Wall Street Journal headlined Lay Off Our Judiciary. The article is an impressive rebuttal to some of the irresponsible, thoughtless attacks that have been made both on specific judges and on the notion of an independent judiciary. Clearly, Mr. Olson makes these arguments out of a genuine commitment to the institution of an independent judiciary, and not because he takes one side or another in a particular dispute that has found its way to the courts or to Congress. As he notes, "calls to investigate judges who have made unpopular decisions are particularly misguided, and if actually pursued, would undermine the independence that is vital to the integrity of judicial systems."

Mr. Olson goes on to be very critical of various aspects of the nomination battles now occurring in the Senate. I do not agree with everything he says here, but the importance of his overall affirmation of the centrality of an independent judiciary to our system of government is so relevant to current political debates that I ask that it be printed here.

[From the Wall Street Journal, Apr. 21, 2005]

LAY OFF OUR JUDICIARY

(By Theodore B. Olson)

A prominent member of the Senate leadership recently described a Supreme Court justice as "a disgrace." An equally prominent member of the leadership of the House of Representatives on the other side of the political aisle has characterized another justice's approach to adjudication as "incredibly outrageous." These excoriations follow other examples of personalized attacks on members of the judiciary by senior political figures. So it is time to take a deep breath, step back, and inject a little perspective into the recent heated rhetoric about judges and the courts.

We might start by getting a firm grip on the reality that our independent judiciary is the most respected branch of our government, and the envy of the world.

Every day, thousands and thousands of judges—jurists whose names we never hear, from our highest court to our most local tribunal—resolve controversies, render justice, and help keep the peace by providing a safe, reliable, efficient and honest dispute resolution process. The pay is modest, the work is frequently quite challenging, and the outcome often controversial. For every winner in these cases, there is a loser. Many disputes are close calls, and the judge's decision is bound to be unpopular with someone. But in this country we accept the decisions of judges, even when we disagree on the merits,

because the process itself is vastly more important than any individual decision. Our courts are essential to an orderly, lawful society. And a robust and productive economy depends upon a consistent, predictable, evenhanded, and respected rule of law. That requires respected judges. Americans understand that no system is perfect and no judge immune from error, but also that our society would crumble if we did not respect the judicial process and the judges who make it work.

We have recently witnessed tragic violence against judges, their families and court personnel in Chicago and Atlanta. These incidents serve as reminders of how vulnerable the judiciary is to those who may be aggrieved by judges' decisions. Violence and intimidation aimed at judges is plainly intolerable; all of us can, and should, be unequivocally unified on the proposition that judges must be protected from aggrieved litigants and acts of terrorism. The wall between the rule of law and anarchy is fragile; if it is penetrated, freedom, property and liberty cannot long endure.

This is not to say that some judges don't render bad decisions. Arrogant and misguided jurists exist, just as such qualities may be found in the rest of the population, and our citizens and elected representatives are fully justified in speaking out in forceful disagreement with judges who substitute their personal values or private social instincts for sound jurisprudential principles. But the remedies for these aberrations consist of reasoned, even sharp, criticism, appeals to higher courts, and selection of candidates for judicial positions that respect limits on the roles of judges.

But, absent lawlessness or corruption in the judiciary, which is astonishingly rare in this country, impeaching judges who render decisions we do not like is not the answer. Nor is the wholesale removal of jurisdiction from federal courts over such matters as prayer, abortion, or flag-burning. While Congress certainly has the constitutional power, indeed responsibility, to restrict the jurisdiction of the federal courts to ensure that judges decide only matters that are properly within their constitutional role and expertise, restricting the jurisdiction of courts in response to unpopular decisions is an overreaction that ill-serves the long-term interests of the nation. As much as we deplore incidents of bad judging, we are not necessarily better off with—and may dislike even more—adjudications made by presidents or this year's majority in Congress.

Calls to investigate judges who have made unpopular decisions are particularly misguided, and if actually pursued, would undermine the independence that is vital to the integrity of judicial systems. If a judge's decisions are corrupt or tainted, there are lawful recourses (prosecution or impeachment); but congressional interrogations of lifetime judges, presumably under oath, as to why a particular decision was rendered, would constitute interference with—and intimidation of—the judicial process. And there is no logical stopping point once this power is exercised.

Which member of Congress, each with his or her own constituency, would ask what questions of which judges about what decisions? Imagine the kinds of questions asked routinely in confirmation or oversight hearings. How can those questions be answered about a pending or decided case? And what if a judge refused to testify and defend his reasoning about a particular decision? Would an impeachment or prosecution for contempt of Congress follow? Either would be unthinkable. Federal judges are highly unlikely to submit to such a demeaning process and, if push came to shove, the public would undoubtedly support the judges.

No discussion of the judiciary should close without reference to the shambles that the Senate confirmation process has become. It does no good to speculate about how or when the disintegration began, which political interest has been the most culpable, or the point at which the appointment of judges became completely dysfunctional. That sort of debate is both endless and futile. The only hope for an end to the downward spiral is for the combatants to lay down their arms; stop using judicial appointments to excite special interest constituencies and political fundraising; move forward with votes on qualified, responsible and respected nominees so that those who have the support of a majority of the Senate can be confirmed, as contemplated by the Constitution; and remove the rancor and gamesmanship from the judicial selection process.

We expect dignity, wisdom, decency, civility, integrity and restraint from our judges. It is time to exercise those same characteristics in our dealings with, and commentary on, those same judges—from their appointment and confirmation, to their decision-making once they take office.

#### INTRODUCTION OF SHAREHOLDER DESCENDENTS VOTING STANDARD AMENDMENT

**HON. DON YOUNG**

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 26, 2005*

Mr. YOUNG of Alaska. The Alaska Native Claims Settlement Act (ANCSA), as originally enacted, limited Alaska Native Regional Corporations from enrolling Natives born after December 18, 1971, as shareholders in their respective corporations. Subsequent amendments to ANCSA have allowed Regional Corporations to include Natives born after December 18, 1971 (often referred to as "New Natives" or "Shareholder Descendents"), if existing shareholders of the Corporation adopt a resolution at an annual meeting. Thus far, very few Native Corporations have adopted resolutions to include Shareholder Descendents, in part because the standard for adopting a resolution is too high.

Existing law provides that a resolution is considered approved by the shareholders of a Native Corporation if it receives an affirmative vote from a "majority of the total voting power of the corporation". At any given annual meeting; however, the total voting power of the corporation is not exercised.

Accordingly, it is possible that eighty-five to ninety percent of the voting proxies at an annual meeting would be required to vote in favor of a Shareholder Descendents resolution. This is an extremely difficult threshold to meet. Accordingly, the attached proposed amendment would allow a Shareholder Descendents resolution to be approved by a majority of the shares present or represented by proxy at an annual meeting. If a change is not made to the existing voting standard for adoption of a Shareholder Descendents resolution, the promises of ANCSA are potentially left unfulfilled, at present, two generations of Shareholder Descendents.

#### ENGINEERING A SOLUTION; BRING WOMEN INTO THE FOLD

**HON. ZOE LOFGREN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 26, 2005*

Ms. ZOE LOFGREN of California. Mr. Speaker, amidst the controversy surrounding recent disparaging remarks regarding women in science, I was encouraged to read an editorial from a shining star in Silicon Valley, Carol Bartz, the President and CEO of Autodesk and a member of the President's Council of Advisers on Science and Technology. Ms. Bartz is right, while the controversy of women in science rages on, "unless we bring the other half of our population [women] into the engineering ranks, that [U.S.] leadership [in engineering] inevitably will evaporate."

I would like to include Ms. Bartz' editorial, printed in the San Jose Mercury News on March 24, 2005, in the RECORD.

[From the San Jose Mercury News, Mar. 24, 2005]

#### ENGINEERING A SOLUTION: BRING WOMEN INTO THE FOLD

(By Carol Bartz)

Last week, Harvard University President Lawrence Summers suffered the sting of a faculty no-confidence vote, stemming from his remarks in January about women in science.

But every day, U.S. companies and the U.S. economy suffer the far more significant sting of girls avoiding science and engineering career paths in droves.

Despite interesting work and excellent pay—an average of \$81,000 a year, almost twice U.S. median household income—employers are begging people to fill positions. Yet just one in 10 engineers is a woman, a far worse track record than science or math.

Why are girls who are fully capable of planning cities, designing jet engines or creating the next iPod avoiding engineering? Is it some biological difference in the female brain, the premise that cost Summers so dearly? Or is it simply a lack of encouragement during those crucial teen years when career paths are forged?

Does it matter?

Even with top salaries, the free-market supply of electrical and mechanical engineers is well below U.S. demand. Something is clearly wrong. The answer is obvious: We are relying on archaic, boys' club traditions to supply an industry that instead should serve as a role model for pure efficiency and reason. And we risk global competitiveness as a result.

No responsible CEO would try to build a business by ignoring the value of half her available capital. That would abrogate her responsibility to shareholders, employees and customers. Yet the engineering world is engaged in precisely this irresponsible corporate behavior by failing to take advantage of one-half of the available human "capital."

And in America we do so at our peril, because a perfect storm is brewing.

On one side of our nation looms international competition in engineering-dependent industries we once dominated. The only answer to maintaining our competitive edge is to use our engineering expertise to create innovation.

Looming on the other side is an immense gap between the demand for innovative young engineers and the number of students awarded degrees in mechanical and electrical

engineering. Every day the gap grows, as an aging national workforce of some 2 million engineers gradually retires without nearly enough graduates to take their place.

With our national competitiveness for the 21st century at stake, we have no choice. We must work to change the status quo and ensure that the female half of our population makes its proportional contribution to the ranks of engineering.

As a software engineer by training, and the CEO of a company whose products are used by millions of engineers globally, I have seen the current system firsthand.

Even at the Massachusetts Institute of Technology's School of Engineering, the No. 1-ranked school in the country, U.S. News & World Report found women made up only 25 percent of graduate enrollment last year.

The private sector must shoulder much of the burden of attracting women to the field. Offering competitive salaries is not enough. It is incumbent on companies to make an engineering career compelling in all of its aspects to young women—to re-energize the field and reintroduce the "cool" factor that engineering once possessed.

There is some hope. Already, the National Science Foundation, the Business-Higher Education Forum and other organizations are working hard to encourage women to join the ranks of American engineers. As for the "cool," this weekend, San Jose State University will host the regional round of the FIRST Robotics competition, offering high school students (girls included!) the opportunity to solve engineering design problems using robotics.

For more than a century, America's global economic leadership has rested on innovation by our engineers, the best in the world. Through them, we have been able to meet tremendous challenges, building the world's most complex infrastructure, some of the world's largest and most important cities, and products that have changed the lives of people everywhere. Unless we bring the other half of our population into the engineering ranks, that leadership inevitably will evaporate.

#### ARMENIAN GENOCIDE

**HON. MARTIN T. MEEHAN**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 26, 2005*

Mr. MEEHAN. Mr. Speaker, I rise today to pay tribute to the 1.5 million Armenian men, women and children who lost their lives during the Armenian Genocide.

April 24th marks the anniversary of one of the darkest tragedies in human history—one that must be properly commemorated as the first genocide of the 20th century. On this day ninety years ago, the Ottoman Turk regime began rounding up hundreds of Armenian intellectuals and political leaders to be deported or executed. Thousands more Armenians were killed in their homes or on the streets. For five years, the brutal regime carried out the systematic destruction of the Armenian people through forced labor, concentration camps, and death marches, until millions were dead or exiled.

As we look back on the bloodshed and atrocities committed against the Armenian people, we must publicly acknowledge the weight of this human tragedy. I am disappointed that President Bush failed to characterize the brutal massacre of the Armenian people as a genocide in his annual commemoration address. To deny this truth is to