

## EMINENT DOMAIN

(Mr. RYUN of Kansas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYUN of Kansas. Mr. Speaker, the House will vote this week on H.R. 4128, the Property Protection Act, to secure all Americans' rights to what they have earned. On June 23 of this year, the Supreme Court ruled 5 to 4 in the decision of *Kelo v. City of New London* that economic development can be a public use under the fifth amendment's taking clause.

The public reaction to this decision was both swift and decisive. In Kansas, people are outraged. In a polling conducted by the *Wall Street Journal*, 11 out of 12 Americans said they oppose the taking of private property, even if it is for public economic good.

H.R. 4128 would prohibit the Federal Government from taking personal property, private property for economic development purposes. The bill would also deny States and localities from receiving any Federal economic development funds if they abuse their eminent domain power. H.R. 4128 would negate this unfortunate ruling and restore Americans' constitutional right to be secure in the property that they have worked hard to obtain. I urge the House to stand with me and protect private property rights.

## MCCAIN AMENDMENT TO DEFENSE APPROPRIATIONS BILL

(Mr. MORAN of Virginia asked and was given permission to address the House for 1 minute.)

Mr. MORAN of Virginia. Mr. Speaker, I rise today in strong support for instructing conferees on this year's defense appropriations bill to include the amendment by our colleague in the Senate, JOHN MCCAIN. This provision would simply provide for uniform standards for the interrogation of persons under the detention of the Defense Department and a prohibition on cruel, inhumane, or degrading treatment or punishment of persons under custody or control of the U.S. government.

Mr. Speaker, in the wake of the scrutiny and embarrassment that our Nation has endured following the treatment of detainees at Abu Ghraib and Guantanamo Bay, it is imperative that we proclaim to the rest of the world that this policy defined by this amendment does in fact reflect the law of the land and the conscience of our country. Providing our soldiers with clear written guidance on how to treat detainees not only protects their interests but underscores the freedoms and the values we cherish as Americans and that we claim to be the very reason we have gone to war in Iraq, Afghanistan, and other parts of the world.

Today, as a Congress, we must respect and honor our Nation and those that risk their lives to serve it, and we can do that by supporting the McCain

amendment in the defense appropriations bill.

## BEHEADINGS IN INDONESIA

(Mr. PITTS asked and was given permission to address the House for 1 minute.)

Mr. PITTS. Mr. Speaker, I rise today to share the outrage of the people of Indonesia with my colleagues regarding a case of horror that occurred this past weekend.

While walking to school on the morning of Saturday, October 29, in Central Sulawesi, three teenage girls were attacked by Islamic extremists. The attackers murdered the young ladies by hacking them with machetes and eventually severing their heads from their bodies.

Why this attack? They had done nothing wrong. They were simply teenage girls walking to school.

As this horrible tragedy affirms, the Indonesian government must crack down strongly and firmly on these barbaric extremists in Indonesia. Otherwise, these terrifying events will continue.

Photos are too graphic to show, but they show a young girl wearing a Princess Diaries t-shirt who will never again have the chance to dream like many little girls do of being a princess. Extremists have robbed her of her dream.

I urge the Indonesian government to spare no resource in rooting out these extremist perpetrators and other human rights violators from Indonesian society.

## BUDGET CUTS IMPACT LATINO EDUCATION

(Ms. SOLIS asked and was given permission to address the House for 1 minute.)

Ms. SOLIS. Mr. Speaker, I rise today in opposition to the Republican proposal to cut \$14 billion from Federal student aid programs. Education is the key to opportunity for all who live in America. This is particularly true for Latino students.

Latino students currently represent 44 percent, or 2.7 million, of California's students enrolled in elementary and secondary schools. Yet more than 61 percent do not graduate and only 39 percent of those Latino students in LA receive a high school diploma.

Latinos only represent 12 percent of all undergraduates who attend colleges and universities. For many low-income working-class students, financial barriers are the determining factor in whether or not they go to college.

Instead of helping to allow our students to achieve greater access to higher education, the college gap is widening. Republicans propose a budget that will make the largest cut to student aid programs in history and will force the typical student borrower to pay an additional \$5,800 for his or her college student loans. I urge my col-

leagues to vote against these cuts and instead make sure every student in the country has access to affordable college opportunities.

## EMINENT DOMAIN

(Mr. DOOLITTLE asked and was given permission to address the House for 1 minute.)

Mr. DOOLITTLE. Mr. Speaker, everyone remembers the schoolyard bully who pushed the smaller kids around and took their lunch money just because he was bigger and stronger. Bullying wasn't okay in elementary school and it isn't okay now, especially when it comes in the form of a U.S. Supreme Court decision.

In *Kelo v. City of New London*, the Supreme Court empowered the government to seize private property, including someone's own home or place of worship, and transfer it to another private owner as long as the transfer would provide an economic benefit to the community. Simply put, the Supreme Court has given government the broad power to seize private property for any use, so long as it generates tax revenue.

Tomorrow, the House will take up H.R. 4128, the Private Property Rights Protection Act, in an attempt to prevent the abuses the Court has allowed by its decision in the *Kelo* case. The bill prohibits States and localities from receiving any Federal economic development funds if these entities abuse their power of eminent domain.

This action is an appropriate use of Congress' spending power and will prevent homeowners, churches, and small businesses from being forced to give up their private property simply because it is not generating the maximum possible tax revenue.

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## BLAMING WRONG PEOPLE FOR EMINENT DOMAIN DECISION

(Mr. FRANK of Massachusetts asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FRANK of Massachusetts. Mr. Speaker, I agree with the previous speaker and many of the other Republican speakers that the recent decision allowing eminent domain for private economic gain was a bad one. But my colleagues on the other side of the aisle are blaming some of the wrong people.

The Supreme Court was not the author of this policy. What the United States Supreme Court did in the *Kelo* case was to allow elected officials at the State and local level to go forward with what they wanted. In other words, the complaint of my Republican colleagues about the Supreme Court in this case is, where was judicial activism when we needed it?

They are denouncing the Supreme Court because it did not overturn the decision of locally elected officials. I

happen to agree in this specific case. But try to square that with their rhetoric in which they are talking about activist judges and unelected officials.

What they are implicitly acknowledging here is that there are times when they very much want unelected and lifetime-appointed judges to overturn what local officials did, because the case here of eminent domain is a case not of the Supreme Court taking anything aggressive. As I said before, the Supreme Court does not use eminent domain. That building across the street has not gotten one inch bigger since I got here. What the Supreme Court did was to allow the local officials' decision to stand. That is the kind of lack of activism that my Republican colleagues deplore.

#### REPUBLICAN POLICIES PROVIDE ECONOMIC SUCCESS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, in October, our office attended numerous ribbon-cutting ceremonies at new businesses in the second district of South Carolina. These exciting events demonstrate economic growth in our community.

President Bush and House Republicans are dedicated to decreasing taxes and eliminating government regulations, and we continue to witness positive results from these economic policies. Last Friday, the Commerce Department reported that the economy grew 3.8 percent in the third quarter, exceeding analysts' expectations. Americans entrepreneurs have created more than 4.2 million new jobs over the last 28 months. Homeownership is the highest level in history. Today's unemployment rate is 5.1 percent, which is lower than the average rate of the last 3 decades.

As American families continue to profit from the Bush tax cuts, I am confident the economy will grow larger and new small businesses will continue to pop up in communities throughout our country.

In conclusion, God bless our troops, and we will never forget September 11.

#### NEED FOR INTELLIGENCE ANSWERS IN LIGHT OF LAST WEEK'S INDICTMENT

(Ms. BERKLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BERKLEY. Mr. Speaker, the American people deserve to know if the Bush administration hyped faulty intelligence to win approval to go to war in Iraq. This Republican-led House refuses to even explore these issues. At least the Senate conducted an investigation last year. It concluded the intelligence was suspicious and outdated. The second part of that investigation

was supposed to examine why this faulty intelligence was presented to the world as a slam-dunk.

It has now been exactly 1 year since the investigation was scheduled to begin, and the Senate Republicans have refused to move forward. What are they afraid of?

Fed up with Republican stall tactics, the Senate minority leader, HARRY REID, moved for the Senate to go into a rare closed-door session to demand the investigation proceed. Thanks to Nevada's Senator HARRY REID, the Senate Republicans were shamed into restarting this investigation. Let us hope it now moves forward so the American people can finally determine if the Bush administration knowingly misled this country into war.

Mr. Speaker, the indictment of Scooter Libby shows that the Bush administration was willing to go to any length possible to silence its critics and cover up the intelligence that contradicted its claims for the war in Iraq.

#### CHECK ON SUPREME COURT DECISION

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PRICE of Georgia. Mr. Speaker, Thomas Jefferson said that "the true foundation of republican government is the equal right of every citizen in his person and property," and the fifth amendment to the Constitution states "nor shall private property be taken for public use without just compensation."

Thanks to a recent Supreme Court ruling on eminent domain, the fifth amendment has been vastly expanded so that it now means "for the bottom line." Public use has been redefined to say simply that tax revenues are more important than neighborhoods.

The Founding Fathers did not mean "public use" to be defined as potential future economic development to increase tax revenues. Private property rights of our citizens are now competing with tax revenue and private developments. The Constitution is meant to protect the rights of our citizens, not compete with the bottom line, and certainly not to provide the government with an excuse to seize our property.

Our system only works with appropriate checks and balances, and this week Congress should exercise its check on a wayward Supreme Court decision and pass legislation that will demonstrate that increasing tax revenues should not trample the rights of private property owners.

#### THE VOLCKER COMMITTEE REPORT

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, the recent release of a report from the Independent Inquiry Committee into the U.N. Oil-for-Food Program, also known as the Volcker Committee, has once again brought the issue of U.N. mismanagement to the forefront.

According to the Volcker Committee, \$1.8 billion in kickbacks and illicit surcharges were paid to Saddam Hussein's government by nearly 2,200 different companies in widespread abuse of the Oil-for-Food Program. As we can see, the Oil-for-Food Program lacked proper accountability and oversight, and thus caused massive fraud and abuse.

Unfortunately, this lack of accountability and oversight is nothing new at the United Nations. As the largest U.N. donor, the U.S. has the responsibility to ensure that the dollars of the American taxpayers are not being wasted. Until such accounting reforms are made, no United States money should be sent to the U.N. Only after such reforms are enacted will the United Nations begin its return to relevancy.

#### PUSHING FOR SAFER CYCLING CONDITIONS IN MEMORY OF JEANNE MENARD

(Mr. INGLIS of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. INGLIS of South Carolina. Mr. Speaker, the bicycling community in Greenville, South Carolina, and my own office had a tragic loss this week. Jeanne Menard was a bicyclist and an enthusiast in Greenville who was struck and killed by a car. Maybe it was the fact that the sun was low in the sky, maybe it was a dirty windshield, maybe it was inattention, maybe it was all of those things. In any event, somebody who had given her time very recently to distributing helmets to school children in one of our parks was killed in our town.

As a society, we want to promote a healthier lifestyle. We want people to ride bikes in order to relieve congestion on our streets, in order to make them healthier and just to have some fun.

The problem is that we are not all attentive to those bikes. In South Carolina, there were 21 bicyclists killed in 2004; so far this year, 10. Nationwide, 600 bicyclists have been killed yearly in crashes with automobiles.

I applaud groups like the League of American Bicyclists, the Palmetto Cycling Coalition, the Spartanburg Free-wheelers and the Greenville Spinners, of which Jeanne Menard was a part, in their efforts to promote bike safety; and I hope that all of us will take the opportunity to spread the word in our own districts.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PUTNAM). Pursuant to clause 8 of rule