

You may look in vain for crosses  
 And you'll never see a one.  
 But sometime between the setting  
 And the rising of the sun  
 You can hear a ghostly bugle  
 As the men go marching by.  
 You can hear them as they answer  
 To that roll call in the sky.  
 Colonel William Barrett Travis, Davy Crockett  
 And 180 more.  
 Captain Dickinson, Jim Bowie  
 They're all present and accounted for.

Mr. Speaker, these are the lyrics to Marty Robbins' "Ballad of the Alamo."

It was there in an old beat up Spanish mission in south Texas called the Alamo on March 6, 1836, 171 years ago today, that 187 men stood defiant against oppression and tyranny. They were an odd looking bunch. They were dressed in buckskin. They had large knives, tomahawks and long rifles. They were of all races, of all States, and 13 foreign countries, including Mexico. They were facing a professional army over 20 times their size.

They were there because of the new dictator of Mexico, Santa Anna. He had abolished the democratic Mexican constitution and made himself dictator of all of Mexico.

Hispanics and Anglos living in the Texas part of Mexico wanted the Mexican constitution restored, or independence from Mexico.

Santa Anna then invaded Texas with three armies to put down the dissenters. The men at the Alamo were led by a 27-year-old lawyer from South Carolina and Alabama named William Barrett Travis.

There is a lot of legend, lore and tradition about the defense of the Alamo. But what is true, Mr. Speaker, is that the Alamo defenders believed that some things were worth living for and dying for. One of those being the word, liberty.

Being surrounded, Travis knew he could not hold off Santa Anna's army and he sent out numerous dispatches for help. I have a copy of one of those letters on my office wall. It reads, "Fellow citizens and compatriots, I am besieged by 1,000 or more of the enemy under Santa Anna. I have sustained a continual bombardment and cannon fire for over 24 hours, but I have not lost a man. The enemy has demanded surrender at its discretion, otherwise this fort will be put to the sword. I have answered that demand with a cannon shot and the flag still waves proudly over the north wall. I shall never surrender or retreat. I call upon you in the name of liberty and patriotism and everything dear to our character to come to my aid with all dispatch. If this call is neglected, I am determined to sustain myself for as long as possible and die like a soldier that never forgets what is due his honor and that of his country. Victory or death, William Barrett Travis, commander of the Alamo."

Travis held out for 5 days and 6 days and up to 13 days. But no troops ever came to help the Alamo defenders except the 32 men from Gonzales, Texas.

Eventually Travis and the boys were overwhelmed, and not one was spared by Santa Anna. But victory was expensive for the dictator Santa Anna. Travis, in his last letter from the Alamo said, "Victory will be more costly for Santa Anna than defeat." He was right. Santa Anna's losses were staggering. He also had a crippled army and lost the moral victory to the Texas war of independence.

Then on April 21, 1836, General Sam Houston routed Santa Anna's larger army at the marshes of San Jacinto. Texas became an independent nation and was so for 9 years. And Mr. Speaker, the rest, they say, is Texas history.

William Barrett Travis is my favorite person in all of history. My grandson is named Barrett Houston in his honor.

I conclude these remarks about the Alamo with Marty Robbins' closing lines:

The bugles are silent.  
 There's rust on every sword.  
 There's a small band of soldiers  
 That lie asleep in the arms of the Lord.  
 And like a statue on his pinto  
 Rides a cowboy all alone.  
 And he sees the cattle grazing  
 Where just a century before  
 Santa Anna's guns were blazing  
 And the cannons used to roar.  
 His eyes turn sort of misty  
 And his heart begins to glow  
 And then he takes his hat off slowly  
 To the men of that Alamo.  
 To the 13 days of glory  
 At the siege of the Alamo.

Mr. Speaker, that's just the way it is.

#### THE ENUMERATED POWERS ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. SHADEGG) is recognized for 5 minutes.

Mr. SHADEGG. Mr. Speaker, today I rise to speak of the importance of the 10th amendment and of a bill that I have introduced each Congress since the 104th Congress, the Enumerated Powers Act. I speak today as a member of the Constitution caucus, chaired by my colleague, Congressman SCOTT GARRETT of New Jersey. It is a caucus that is dedicated and works tirelessly to illuminate the importance of the Constitution and of the 10th amendment.

The 10th amendment to the United States Constitution reads as follows: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

Let me emphasize that again. "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

What that means is that the Founding Fathers intended our national government to be a limited government, a government of limited powers that cannot expand its legislative authority into areas reserved to the states or to

the people. As the final amendment in the 10 Bill of Rights, it is clear that the Constitution establishes a Federal Government of specifically enumerated and limited powers.

For that reason, as I indicated, I have introduced, each year since I have been in this Congress, the Enumerated Powers Act. This bill would require that all pieces of legislation introduced in the Congress, by a Member of Congress, would have to contain a statement setting forth the specific constitutional authority granted by the Constitution to the U.S. Congress by which that piece of legislation was to be enacted. This measure would enforce a constant and ongoing re-examination of the role of our national government.

The Enumerated Powers Act is simple. It is simply intended to require a scrutiny that we should look at what we enact and that, by doing so, we can slow the growth and reach of the Federal Government, and leave to the states or the people, those functions that were reserved to them by the Constitution.

It will perform three most important functions.

First, it would encourage Members of Congress to pause and reflect and to consider whether they propose a piece of legislation, whether it belongs at the Federal level in the allocation of powers under our U.S. Constitution, or properly belongs with the states or with the people.

Second, it would function to force us to include a statement in the legislation explaining by what authority we are acting.

And third, it would give the United States Supreme Court the ability to look at the constitutional justification for each piece of legislation, and if that constitutional justification did not stand up to scrutiny, the courts and the people would find it easier to hold the Congress accountable and to eliminate those acts which are beyond the scope of the Constitution.

In 1787, when the Founding Fathers wrote our Constitution, they created a national government with great powers but limited powers, believing that granting specific, rather than general legislative power to the national government would be a central mechanism for protecting freedom while allowing us still to achieve the objectives of a national government. As a result, the Constitution gives the Federal Government only 18 specific enumerated powers, just 18 powers.

For the largest part of our history, for the first 130 years, the Constitution served as a bulwark against excessive Federal regulation and against excessive all powerful Federal Government. Unfortunately, the restraint that Congresses demonstrated under that provision of the Constitution has largely been abandoned in the latter half of the 20th Century and now in the 21st Century.

Beginning with the New Deal, modern Congresses have displayed a willingness to ignore the 10th amendment

in order to greatly expand the Federal Government.

Let me be clear. Virtually all the measures which go beyond the scope of the powers granted to the Federal Government by the 10th amendment are well-intentioned. But unfortunately, many of them are not authorized by the Constitution. The Federal Government has ignored the Constitution and expanded its authority into every aspect of human conduct, and quite sadly, it is not doing many of those things very well.

The size and scope of the Federal Government has exploded, and there is a belief that the Federal Government can do anything. And yet, that is not what the Founding Fathers intended.

For too long, the Federal Government has operated without constitutional restraint, blatantly ignoring the principles of federalism.

I urge my colleagues to join me in supporting a review and a criticism and an evaluation of the proper role of the Federal Government in order to empower the American people and to distribute power as the Constitution contemplated it.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### SECURE RURAL SCHOOLS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Idaho (Mr. SALI) is recognized for 5 minutes.

Mr. SALI. Mr. Speaker, I rise today to speak about an issue that is of vital importance to Idaho's First Congressional District, my State as a whole, and the greater western region of our country.

It is critical that Congress include language in the Emergency Supplemental to reauthorize and fully fund a 1-year extension of Secure Rural Schools and Community Self-Determination Act of 2000. It affects more than 615 rural counties and 4,400 schools near national forests in 39 states and literally, tens of thousands of students.

Without reauthorization, in Idaho alone, we would lose \$23.3 million in funding this next year. That is a staggering loss in my small rural state.

In order to fully understand this issue we need to go back to the final year of Theodore Roosevelt's presidency to the establishment of the 1908 Payment Act for National Forests. Under this act, the Forest Service has paid 25 percent of its gross receipts to the states for the use of roads and schools in the counties where our national forests are located. The receipts come from leases, rentals, timber sales

or other fees paid for using the National forest lands or resources. This is especially critical in Idaho, where more than 60 percent of our land is federally managed.

Congress realized at the time it was difficult for rural communities to be financially independent if they were surrounded by Federal land. If we privatized the land in those counties, they would be collecting property tax. But they cannot because the land is managed by Uncle Sam.

The Secure Rural Schools and Community Self-Determination Act of 2000, or a bipartisan Craig-Wyden plan was passed by Congress and signed into law by President Clinton to provide funding to offset the loss of revenues to counties resulting from the severely reduced Federal timber sales in rural communities. The laws kept schools opened, roads maintained, search-and-rescue missions operating and many other essential services afloat.

The 5-year time frame of the Craig-Wyden measure was designed to allow counties sufficient time to broaden their economic bases to replace historic timber sale income. The Federal timber sale program in Idaho has, to put it mildly, come up short. Idaho's communities want to log and carefully make use of the State's timber resources, but regulatory restrictions won't let them.

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And that is why we need to take action.

Allow me to cite one example. I have the good fortune of representing the people of Shoshone County. Shoshone County is a rural county with about 13,000 students. Shoshone County receives the second largest amount of funds under the Secure Rural Schools Act, about \$4.3 million. This is an already economically depressed community. About 75 percent of Shoshone County is in the Federal system, and yet the county is responsible to maintain more than 400 miles of public roads.

On my recent trip home just days ago, I had the opportunity to meet with Shoshone County commissioners and superintendents of public schools. For Shoshone County, losing these funds, 40 percent of their budget, means massive layoffs in an already small school system, loss of transportation for children to get to school, placing children in hazardous conditions to get to school. The road system needs constant care and maintenance. They can barely get by with what they have now.

We don't let Idahoans harvest timber. We expect them to maintain Federal roads. We provide them no fiscal relief or support. We want a top quality education for our children, but they have no economic base to raise even modest taxes.

Congress has to step in. We have to act now. First, in the short term, the solution is for Congress to approve a 1-

year extension of Craig-Wyden in the emergency supplemental. Second, while providing interim funding, Congress must come up with a long-term solution to this situation. I believe ultimately the answer lies in increasing timber harvesting.

The House Appropriations Committee will mark up the emergency supplemental this week. The emergency supplemental will be the last opportunity to address this issue before counties have to start implementing cuts to schools and services. Without a 1-year reauthorization of and funding for the Secure Rural Schools and Community Self-Determination Act, the predicament will be an emergency without rescue for hundreds and hundreds of rural counties across America.

I want to urge my colleagues to support this crucial 1-year extension.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. GARRETT) is recognized for 5 minutes.

(Mr. GARRETT of New Jersey addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### FEDERAL GOVERNMENT LAND

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, today the Federal Government owns over 30 percent of the land in this country. State and local governments and quasi-governmental agencies are controlling the other 20 percent. Half the land, 50 percent, is in some type of government or public ownership or control.

We could probably live with this, but the problem is that government at all levels keeps taking over more and more property at a faster rate than ever before.

People don't get upset unless or until their property gets taken. And it sounds great for a politician to create a park, but now we have so many parks, recreation areas, nature preserves, national forests, and on and on that we can't take care of all of them.

We are constantly being told we have a mega-billion-dollar maintenance backlog for the national parks and all these other public areas; yet we keep taking over more land. You really can never satisfy government's appetite for money or land.

We just do not teach our young people how important private property is to both our freedom and our prosperity. We see this most clearly in the fact that counties that have high percentages of public land are almost always poverty areas or at least counties with incomes far below the national average. Also, because we keep taking so much land off the tax rolls, we keep shrinking our tax base at the same time that all of the schools and government agencies tell us they need more money.