

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Ms. WATERS. Mr. Speaker, I rise in strong support of H. Res. 561, recognizing the 20th anniversary of the McKinney-Vento Homeless Assistance Act of 1987. I was pleased to join my Housing Subcommittee colleague Mr. SHAYS, and Congresswoman MCCOLLUM, in introducing this resolution to honor their late predecessors—Stewart McKinney of Connecticut and Bruce Vento of Minnesota—for their work across party lines to create the McKinney-Vento programs in response to the widespread homelessness that had reoccurred in the early 1980's for the first time since the Great Depression.

Since then, the McKinney-Vento Act programs have helped thousands of homeless men, women, and children return to stable housing and lives in which they can reach their full potential. I am pleased that we will take up for consideration today a FY 2008 appropriations bill for the Department of Housing and Urban Development (HUD), which administers the majority of McKinney-Vento grants, that provides for \$1.561 billion for the HUD homeless assistance account, a \$234 million increase over FY 2006.

But as national homeless organizations noted poignantly at an event a few of us attended last week, this is truly a “bittersweet” anniversary. While this groundbreaking homeless legislation is a highlight of the legacy I inherit as the Chair of the Housing Subcommittee, the sad fact is that the McKinney-Vento Act programs should not still be so desperately needed on their 20th birthday.

In fact, because the McKinney-Vento Act was debated a few years before I entered Congress—though I had certainly addressed homeless issues during my tenure in the California state legislature—I had my staff provide me with some of the legislative history surrounding the bill. A couple of points are worth noting.

First, nobody ever thought that the McKinney-Vento Act was the answer to homelessness, despite its ambitious creation of 15 separate programs and authorization of over \$400 million in funding. Indeed, the original House bill was entitled the “Urgent Relief for the Homeless Act.” Of it, my distinguished predecessor as Chair of the then-Housing and Community Development Subcommittee, the late Henry Gonzalez, said, “The emergency assistance provided in this bill will not eradicate the causes of homelessness; but rather is an emergency short-term effort to assist homeless persons.”

In other words, the McKinney-Vento programs were always meant as a first step—a first step toward a social safety net in which no person is forced to live on the streets or in shelters because of poverty, whether or not that poverty is coupled with additional challenges like mental illness, drug addiction or HIV/AIDS.

What is also striking, however, is how much the people involved then knew or suspected, even in the midst of a new crisis, about the real long-term solutions to homelessness. Of necessity, perhaps, given the rapid and overwhelming growth in homelessness at the time, the majority of early McKinney-Vento Act authorizations and appropriations funded emergency food and shelter assistance. Yet, from

the start, the McKinney-Vento Act invested in a wide range of interventions—including permanent supportive housing, transitional housing, education, mental health and substance addiction services, job training, and other interventions.

Building on this basic infrastructure, academic research coupled with the hard-earned knowledge of practitioners and government have moved us to a place where we know much more about who the homeless are, and what it takes to end homelessness for them than we did in 1987.

I am proud that the McKinney-Vento Act itself grew out of Housing Subcommittee hearings then-Chairman Gonzales convened starting 25 years ago, and, after Congress returns from its August recess, I intend to hold a series of four in-depth Subcommittee hearings to examine lessons learned in the intervening period in order to formulate better federal housing policy, starting with an updated McKinney-Vento Homeless Assistance Act.

But reauthorizing the McKinney-Vento Act, no matter how perfectly, is only a small piece of a real federal agenda to end homelessness. Another glaring theme emerges from the 1987 CONGRESSIONAL RECORD—the increasing lack of affordable housing and the Federal government's progressive disinvestment in housing production programs.

Well, the situation has only gotten worse. As you know, the 800,000 people who experience homelessness on any given night—over 10 percent of them in my home city of Los Angeles—are only the most visible feature of an affordable housing crisis that has reached epic proportions across the country.

As Housing Subcommittee Chair, my response is simple. It's time to get the Federal government back in the affordable housing production business. I am hoping we start with enactment of H.R. 1851, The Section 8 Voucher Improvement Act and H.R. 2895, the National Affordable Housing Trust Fund. Simply put, if the Federal government does not re-engage on affordable housing at this scale, and more, our successors will face the prospect of introducing a resolution to mark the 40th anniversary of the McKinney-Vento Act in 2027. Let us hope we can render such a sad event unnecessary.

□ 1415

Mr. FRANK of Massachusetts. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. FRANK) that the House suspend the rules and agree to the resolution, H. Res. 561.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

---

COMMENDING DAVID RAY RITCHESON AND RECOGNIZING HIS EFFORTS IN PROMOTING FEDERAL LEGISLATION TO COMBAT HATE CRIMES

Ms. JACKSON-LEE of Texas. Mr. Speaker, I move to suspend the rules

and agree to the resolution (H. Res. 535) commending David Ray Ritcheson, a survivor of one of the most horrific hate crimes in the history of Texas, and recognizing his efforts in promoting Federal legislation to combat hate crimes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 535

Whereas David Ray Ritcheson, a Mexican-American, was a friendly and cheerful student at Klein Collins High School in the Houston suburb of Spring, Texas, and a popular and talented football athlete who was loved and admired by his family and friends;

Whereas on April 23, 2006, at the age of 16, David Ray Ritcheson was severely assaulted while attending a party in Spring, Texas;

Whereas the former running back and freshman homecoming prince spent more than three months in the hospital as a result of the injuries he suffered in the assault and endured more than 30 surgeries to restore his appearance and regain the normal use of his bodily functions;

Whereas no human being deserves to be tortured and victimized like David Ray Ritcheson simply because he is of a different background, race, religion, ethnic group, or sexual orientation;

Whereas of all crimes, hate crimes are most likely to create or exacerbate tensions that can trigger larger community-wide racial conflict, civil disturbances, and riots in communities at-risk of serious social and economic consequences;

Whereas hate-motivated violence disrupts the tranquility and safety of communities, impedes the movement of members of targeted groups, and prevents members of targeted groups from purchasing goods and services, obtaining or sustaining employment, and fulfilling the American Dream;

Whereas the courageous, eloquent, and compelling testimony of David Ray Ritcheson before a committee of the House of Representatives brought into vivid relief the human face of victims of hate crimes and the terrible suffering that such crimes inflict on victims and their families, friends, and communities;

Whereas David Ray Ritcheson, in his testimony, emphasized that he was a survivor who urged the Federal Government to take the lead in deterring individuals like those who attacked him from committing violent crimes against others because of where they are from, the color of their skin, the God they worship, the person they love, or the way they look, talk, or act;

Whereas David Ray Ritcheson's powerful testimony helped inspire the House of Representatives to pass the Local Law Enforcement Hate Crimes Prevention Act of 2007 (H.R. 1592 of the 110th Congress), which incorporates key provisions of the David Ray Hate Crimes Prevention Act of 2007 (H.R. 254 of the 110th Congress);

Whereas David Ray Ritcheson vowed to do whatever he could to help make the United States a hate-free place in which to live;

Whereas the courage displayed by David Ray Ritcheson is an inspiration to all Americans and reinforces the message that acts of bigotry and hate are unacceptable in the United States; and

Whereas, on July 1, 2007, David Ray Ritcheson died at the age of 18: Now, therefore, be it

*Resolved*, That the House of Representatives mourns the passing of David Ray Ritcheson and commends him for his activism in contributing and raising awareness

toward the eradication and elimination of hate crimes in the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentleman from Indiana (Mr. PENCE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

#### GENERAL LEAVE

Ms. JACKSON-LEE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. JACKSON-LEE of Texas. I yield myself such time as I may consume.

Mr. Speaker, it is with celebration and recognition that I rise today to honor and pay tribute to David Ray Ritcheson, first 17, and, in the loss of his life, only 18, yet an American hero, a teenager who experienced harshness in his life, but yet out of his courage, tenacity and spirit we stand here on the floor of the House today.

I rise in strong support of H. Res. 535, which honors the short life, but big contributions of David Ray Ritcheson, a victim, as I said earlier, of a horrific hate crime, who became an exceptionally effective advocate for Federal hate crimes legislation.

Over the years I have been privileged to take the floor many times to speak on behalf of my constituents and those who live in the greater Houston-Harris County area. On those occasions my heart has filled with joy on the knowledge that so many people entrusted me with the honor of giving voice to their hopes and aspirations. But as I rise today, my heart is enormously heavy, for I have the sad duty of informing the House of the tragic death of David Ray Ritcheson, a Texas teenager, and as I've said earlier, experienced and was a victim of a horrible hate crime only at the age of 17, who went on to become an effective advocate for Federal hate crimes legislation.

To his parents, to his attorney Mr. Leon, for their spirit, his wonderful family, his brothers and sisters, all who showed the great love and tenacity and courage to stand by David, I call them the stand-by-David family.

This tragedy should serve as a wake-up call to the Nation of the need to re-double our efforts to prevent hate crimes by juveniles, which I believe is, in the long run, the best and most effective way of eliminating the scourge of hate-motivated crimes from our society.

I have long believed, and research confirms, that if a person does not acquire a proclivity to hate as a juvenile, he or she is not likely to be motivated to commit crimes out of hate as an adult. But once a child or juvenile has learned to hate, it is a short step to learning and liking to act out of hatred.

We will have, I hope soon, coming to this floor a bill named after David. Many in the community have asked that H.R. 1592, the Local Law Enforcement Hate Crimes Prevention Act of 2007, be likewise named after him. You wonder why. It is because of the outstanding courage that this young man has shown.

I remember meeting with him in the offices of his attorney, Carlos Leon, and his family members way back in 2006. He was in the midst of several of his surgeries that had to be implemented or had to be done in order to help cure him. Quiet, determined, smiling, generous in his time, we spoke about what he could do and how he could support legislation to turn things around. I believe that that courage exudes today on the floor of the House.

A year ago last April, the people of Harris County and those in and around my congressional district saw just how easy and how dangerous it is for young people to commit a crime of hate. In a case that drew national attention, 16-year-old David Ray Ritcheson, a Mexican American, was severely assaulted on April 23, 2006, by two youths while attending a party in the Houston suburb of Spring, Texas. One of his teen attackers, a skinhead, yelled ethnic slurs and kicked a pipe in an inappropriate place, severely damaging his internal organs and leaving him in the hospital for 3 months and 8 days, almost all of it in critical care.

For the supposed crime of allegedly kissing a white girl, this Hispanic young man was punched unconscious, kicked in the head, suffered 17 cigarette burns sadistically inflicted that still scar his body. His assailants poured bleach on his face and body and then assaulted him with a pipe taken from a patio umbrella. He was left lying unconscious and unattended in the back yard of a house for more than 8 hours. He has endured more than 30 operations to restore his appearance and regain the normal use of his bodily functions.

Might I say to you that he was the cause and the inspiration behind the passage of H.R. 1592. And I just want to share with my colleagues this young man's picture, along with his attorney. He was a young man who came here with a business suit on because he meant business. We honor him today with a resolution that acknowledges his life.

In addition, I will soon be introducing additional legislation intended to fill a big gap in current hate crimes prevention. And we must do more to assist the victims of hate crimes and their families recover from their physical, emotional and psychological wounds.

My legislation will authorize programs to provide psychological and emotional support services and appropriate economic assistance to the victims of hate crimes and their families. The legislation will focus on three main areas: counseling, prevention, and economic support.

Let me just say, in closing, that I indicated that it is with a heavy heart that I stand on the floor today. It is certainly with great celebration that I acknowledge to the world and to America, the youth of America, the name of David Ray Ritcheson, someone who, in essence, sacrificed his life so that America might be better, sacrificed his life so that those of us who want to be able to preach love, opportunity and quality maybe, sadly, will have a message of joy out of his living, and that is that you can move to move hearts and minds, and that we can provide America with a better moral compass and legal system to prevent hate crimes in America.

Mr. Speaker, I rise in strong support of H. Res. 535, which honors the short life but big contributions of David Ray Ritcheson, a victim of a horrific hate crime who became an exceptionally effective advocate for Federal hate crimes legislation.

Over the years I have been privileged to take the floor many times to speak on behalf of my constituents in the Eighteenth Congressional district of Texas. On those occasions my heart was filled with joy in the knowledge that so many people entrusted me with the honor of giving voice to their hopes and aspirations.

But as I rise today, my heart is heavy. I have the sad duty of informing the House of the tragic death of David Ray Ritcheson, a Texas teenager and victim of a horrible hate crime, who went on to become an effective advocate for Federal hate crimes legislation.

Mr. Speaker, this tragedy should serve as a wakeup call to the Nation of the need to re-double our efforts to prevent hate crimes by juveniles, which I believe is in the long run the best and most effective way of eliminating the scourge of hate motivated crimes from our society.

I have long believed, and research confirms, that if a person does not acquire a proclivity to hate as a juvenile, he or she is not likely to be motivated to commit crimes out of hate as an adult. But once a child or juvenile has learned to hate, it is a short step to learning and liking to act out that hatred.

A year ago last April, the people of Harris County, Texas, and in my congressional district, saw just how easy and how dangerous it is for young people to commit a crime out of hate.

In a case that drew national attention, 16-year-old David Ray Ritcheson, a Mexican-American, was severely assaulted on April 23, 2006, by two youths while attending a party in the Houston suburb of Spring, Texas. One of his teenage attackers, a skinhead, yelled ethnic slurs and kicked a pipe up his rectum, severely damaging his internal organs and leaving him in the hospital for 3 months and 8 days—almost all of it in critical care. For the supposed crime of allegedly kissing a white girl, this Hispanic young man was punched unconscious, kicked in the head, suffered 17 cigarette burns sadistically inflicted that still scar his body. His assailants poured bleach on his face and body, and then assaulted with a pipe taken from a patio umbrella. He was left lying unconscious and unattended in the back yard of a house for more than 8 hours. He has endured more than 30 operations to restore his appearance and regain the normal use of his bodily functions.

Mr. Speaker, no one deserves to be tortured and victimized like David Ray Ritcheson was simply because he is of a different nationality, or race, or religion, or ethnic group, or sexual orientation or preference. It is for that reason that I introduced the David Ray Hate Crimes Prevention Act of 2007, H.R. 254, earlier this year, key provisions of which were incorporated into H.R. 1592, the Local Law Enforcement Hate Crimes Prevention Act of 2007. For example, my bill increased the penalties to 10 years in prison for any person who, whether or not acting under color of law, willfully causes bodily injury to any person or, through the use of fire, a firearm, or an explosive device, attempts to cause bodily injury to any person, because of the actual or perceived race, color, religion, or national origin of any person. Also, H.R. 1592 incorporated another key component of my hate crimes prevention bill: the establishment of a grants program administered by the Office of Justice Programs of the Department of Justice to award grants, in accordance with such regulations as the Attorney General may prescribe, to State, local, or tribal programs designed to combat hate crimes committed by juveniles.

I will soon be introducing additional legislation intended to fill a big gap in the current hate crimes prevention regime. We must and can do more to assist the victims of hate crimes and their families recover from their physical, emotional, and psychological wounds.

My legislation will authorize programs to provide psychological, emotional support services and appropriate economic assistance to the victims of hate crimes and their families. The legislation will focus on three main areas: counseling; prevention; and economic support.

Hate Crime victims lose their jobs at least in part because of the impact of hate crime violence and lack of financial and economic support during recovery. By giving hate crime victims economic and financial support, Congress makes it more likely that employees who are victims of hate crimes could stay at work while they deal with the violence or promptly return to work if they have to take temporary leave. Therefore hate crime victims must be provided access to: (1) Healthcare support including counseling and therapy to prevent in the future severe depression, violent outbreaks, suicide; (2) construction and personnel cost for shelters and hate crime support centers; (3) direct services providers; (4) healthcare insurance for counseling and therapy; (5) hotline services; and (6) short- and long-term individual counseling and support groups for hate crime victims and their families.

Since prevention is always better than cure, my legislation also seeks to prevent violent hate crime attacks before it happens. The legislation will provide funding for outreach and educational programs to raise awareness against racist and discriminatory beliefs.

Specifically, it will lead to:

(1) Development community responses and public education campaigns working with elementary, middle and secondary school to raise awareness of racist crimes as unacceptable behavior.

(2) Provide educational programs working with teenagers and young adults in college and university campuses.

(3) Adoption of hate crime awareness programs in the workplace.

When he testified in support of H.R. 1592, David Ray Ritcheson challenged this com-

mittee to take a big step toward making hate a thing of history. Hear the words this young man, wise and courageous beyond his years, spoke to the Judiciary Committee:

It has been a blessing to know that the most terrible day of my life may help put another human face on the campaign to enact a much needed law such as the "Local Law Enforcement Hate Crimes Prevention Act of 2007". I can assure you, from this day forward I will do what ever I can to help make our great county, the United States of America, a hate free place to live.

I ask unanimous consent that to place a copy of David Ray Ritcheson's entire statement in the RECORD.

I believe the best thing we can do to hasten the day that the United States is a hate free place to live is to work at least as hard toward preventing hate crimes as we must at prosecuting and punishing those who commit them.

As important as it is to apprehend, prosecute, convict, and punish severely those who commit hate crimes, we can all agree that in the long run it is even more important and better for society if we can increase our effectiveness in eradicating the desire to commit a hate crime in the first place.

Mr. Speaker, I have never been as proud of any constituent as I was of David Ray Ritcheson that day when he spoke such eloquent truth to power. By force of his own example and moral courage he helped clear the way for House passage of strong and long overdue hate crimes legislation. In the process, he made America better, and he made Texas stand tall. That is why it is so fitting to honor his memory. And that is why I am pleased to announce that the introduction of a resolution in tribute to this remarkable young man.

Mr. Speaker, I would like to read into the RECORD the text of this resolution.

H. RES. 535

Whereas David Ray Ritches, Mexican-American, was a friendly and cheerful student at Klein Collins High School in the Houston suburb of Spring, Texas, and a popular and talented football athlete who was loved and admired by his family and friends;

Whereas on April 23, 2006, at the age of 16, David Ray Ritcheson was severely assaulted while attending a party in Spring, Texas;

Whereas the former running back and freshman homecoming prince spent more than three months in the hospital as a result of the injuries he suffered in the assault and endured more than 30 surgeries to restore his appearance and regain the normal use of his bodily functions;

Whereas no human being deserves to be tortured and victimized like David Ray Ritcheson simply because he is of a different background, race, religion, ethnic group, or sexual orientation;

Whereas of all crimes, hate crimes are most likely to create or exacerbate tensions that can trigger larger community wide racial conflict, civil disturbances, and riots in communities at-risk of serious social and economic consequences;

Whereas hate-motivated violence disrupts the tranquility and safety of communities, impedes the movement of members of targeted groups, and prevents members of targeted groups from purchasing goods and services, obtaining or sustaining employment, and fulfilling the American Dream;

Whereas the courageous, eloquent, and compelling testimony of David Ray Ritcheson before a committee of the House

of Representatives brought into vivid relief the human face of victims of hate crimes and the terrible suffering that such crimes inflict on victims and their families, friends, and communities;

Whereas David Ray Ritcheson, in his testimony, emphasized that he was a survivor who urged the Federal Government to take the lead in deterring individuals like those who attacked him from committing violent crimes against others because of where they are from, the color of their skin, the God they worship, the person they love, or the way they look, talk, or act;

Whereas David Ray Ritcheson's powerful testimony helped inspire the House of Representatives to pass the Local Law Enforcement Hate Crimes Prevention Act of 2007 (H.R. 1592 of the 110th Congress), which incorporates key provisions of the David Ray Hate Crimes Prevention Act of 2007 (H.R. 254 of the 110th Congress);

Whereas David Ray Ritcheson vowed to do whatever he could to help make the United States a hate-free place in which to live;

Whereas the courage displayed by David Ray Ritcheson is an inspiration to all Americans and reinforces the message that acts of bigotry and hate are unacceptable in the United States; and

Whereas, on July 1, 2007, David Ray Ritcheson died at the age of 18: Now, therefore be it

*Resolved*, That the House of Representatives mourns the passing of David Ray Ritcheson and commends him for his activism in contributing and raising awareness toward the eradication and elimination of hate crimes in the United States.

Mr. Speaker, I ask unanimous consent to place into the record the testimony David Ray Ritcheson gave before the Judiciary Committee in April of this year in support of H.R. 1592.

STATEMENT OF MR. DAVID RITCHESON AT THE HEARING ON H.R. 1592, THE "LOCAL LAW ENFORCEMENT HATE CRIMES PREVENTION ACT OF 2007"

I appear before you as a survivor of one of the most despicable, shocking, and heinous acts of hate violence this country has seen in decades. Nearly one year ago on April 22, 2006, I was viciously attacked by two individuals because of my heritage as a Mexican-American. After hanging out with a few friends at a local crawfish festival, my friend and I, along with the two individuals who would eventually attack me, returned to the home in Spring, Texas where I was to spend the night. It was shortly after arriving at this private residence that a minor disagreement between me and the attackers turned into the pretext for what I believe was a pre-meditated hate crime. This was a moment that would change my life forever. After I was surprisingly sucker punched and knocked out, I was dragged into the back yard for an attack that would last for over an hour. Two individuals, one an admitted racist skinhead, attempted to carve a swastika on my chest. Today I still bear that scar on my chest like a scarlet letter. After they stripped me naked, I was burned with cigarettes and savagely kicked by this skinhead's steel toed army boots. After burning me in the center of the forehead, the skinhead attacker was heard saying that now I look like an Indian with the red dot on my forehead. Moreover, the witnesses to the attack recalled the two attackers calling me a "wetback" and a "spic" as they continued to beat me as I lay unconscious. Once the attack came to an end, was dragged to the rear of the back yard and left for dead. Reportedly, I lay unconscious in the back yard of this private residence or the next 8-

9 hours. It was not until the next morning that I was found and the paramedics came to my aid. I am recounting this tragic event from the testimony I heard during the trial of the two attackers this past fall. God spared me the memory of what happened that night. As I sit before you today, I still have no recollection of those life changing twelve hours or the weeks that followed.

Weeks later I recall waking up in the hospital with a myriad of emotions, including fear and uncertainty. Most of all, I felt inexplicable humiliation. Not only did I have to face my peers and my family, I had to face the fact that I had been targeted for violence in a brutal crime because of my ethnicity. This crime took place in middle-class America in the year 2006. The reality that hate is alive, strong, and thriving in the cities, towns, and cul-de-sacs of Suburbia, America was a surprise to me. America is the country I love and call home. However, the hate crime committed against me illustrates that we are still, in some aspects, a house divided. I know now that there are young people in this country who are suffering and confused, thirsting for guidance and in need of a moral compass. These are some of the many reasons I am here before you today asking that our government take the lead in deterring individuals like those who attacked me from committing unthinkable and violent crimes against others because of where they are from, the color of their skin, the God they worship, the person they love, or the way they look, talk or act.

I believe that education can have an important impact by teaching against hate and bigotry. In fact, I have encouraged my school and others to adopt the Anti-Defamation League's No Place for Hate® program. If these crimes cannot be prevented, the federal government must have the authority to support state and local bias crime prosecutions.

As the weeks in the hospital turned into months, I began hearing the stories of support that came from literally all over the world. The local community pulled together in a really majestic way, reaffirming my hope in the good of humanity. My family told me about the crowded waiting rooms full of the great friends from past and present. I heard about prayer groups before school in front of my school, the Klein Collins Campus. The donations that helped my family and me get through an unthinkable time poured in from generous people scattered across the globe. These donations would help pay for the enormous hospital bills from the over thirty surgeries I underwent during the first three months after the attack. Most of these operations were essential to saving my life—and others were necessary just to make my body able to perform what would be normal functions.

As the recovery process continued, my family began to slowly inform me of what had happened to me. They went on to tell me of the effective response by the Harris County Sheriff's Department and the Harris County Constables who had investigated the hate crime committed against me. I slowly began learning about the background of the two individuals who had been arrested for attacking me. I was informed that one of the attackers, David Tuck, was a self proclaimed racist skinhead who had viciously attacked at least two other Hispanics in the past few years, almost killing one of them. I learned that he had been in and out of several juvenile facilities. Most surprising, I learned that he had been released from the Texas Youth Commission a little over a month before he attacked me. In fact, he was still on probation the night he nearly ended my life. I was told that he had "white power" and swastikas tattoos on his body. I

was informed that his older step brother, a major influence in his life, was also a self-proclaimed skinhead currently serving time in a Texas jail. Here I was, learning shocking details of a person who lived only miles from me and who had at one time attended the same high school that I attended. How could this type of hate be breeding just miles from my home in a city as diverse as Spring without anyone taking notice?

I quickly learned of and benefited from the support of groups such as the Anti-Defamation League (ADL) and League of United Latin American Citizens (LULAC). Both groups immediately provided whatever support they could to help me and my family. From setting up fundraisers to help my family with unanticipated expenses to providing emotional support confirming that I was not going through this alone, both groups were instrumental in assisting me and my family in the process of moving forward. There are so many people to thank for the support they have given me, including the ongoing encouragement to appear before you today.

Last November and December I sat in a courtroom in Harris County, Texas and faced my attackers for the first time as they went through their respective trials. I am glad to say that justice was done. I am proud of the job our county prosecutors and investigators did in ensuring life sentences for the two individuals who attacked me. Specifically, I want to recognize the great job that Assistant District Attorney Mike Trent did during the prosecution of these two individuals. However, despite the obvious bias motivation of the crime, it is very frustrating to me that neither the state of Texas nor the federal government was able to utilize hate crime laws on the books today in the prosecution of my attackers. I am upset that neither the Justice Department nor the FBI was able to assist or get involved in the investigation of my case because "the crime did not fit the existing hate crime laws." Today I urge you to take the lead in this time of needed change and approve the "Local Law Enforcement Hate Crimes Prevention Act of 2007". I was fortunate to live in a town where local law enforcement authorities had the resources, the ability—and the will—to effectively investigate and prosecute the hate violence directed against me. But other bias crime victims may not live in such places. I ask you to provide authority for local law enforcement to work together with federal agencies when someone is senselessly attacked because of where they are from or because of who they are. Local prosecutors should be able to look to the federal government for support when these types of crimes are committed. Most importantly, these crimes should be called what they are and prosecuted for what they are, "hate crimes"!

In fact, because there was so much attention focused on the fact that my case was not being prosecuted in Texas as a hate crime, the Anti-Defamation League and the Cook County (Illinois) Hate Crimes Prosecution Council published a Pamphlet called "Hate Crimes Data Collection and Prosecutions: Frequently Asked Questions," designed to address some of the basic legal and practical considerations involved in labeling and charging a hate crime.

My experience over the last year has reminded me of the many blessings I took for granted for so long. With my humiliation and emotional and physical scars came the ambition and strong sense of determination that brought out the natural fighter in me. I realized just how important family and the support of community truly are. I will always recall my parents at my bedside providing me with strength and reassurance. They showed me how to be strong during my whole recovery, a process I am still going

through today. Seeing the hopeful look of concern in the faces of my siblings, cousins, aunts and uncles everyday was the direct support I needed to get through those terrible first few months. As each day passed, I became more and more aware of everything I had to live for. I am glad to tell you today that my best days still lay ahead of me.

Thank you for the opportunity to tell my story. It has been a blessing to know that the most terrible day of my life may help put another human face on the campaign to enact a much needed law such as the "Local Law Enforcement Hate Crimes Prevention Act of 2007". I can assure you, from this day forward I will do what ever I can to help make our great country, the United States of America, a hate free place to live.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. PENCE. Mr. Speaker, I yield myself such time as I may consume.

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, the old book tells us to mourn with those who mourn and grieve with those who grieve. I rise in support today of H. Res. 535 in a spirit of bipartisanship and mutual mourning in the tragic end of the life of David Ray Ritcheson.

I rise to commend David Ray Ritcheson in this resolution, a survivor, as my colleague from Texas just described, of a horrific crime. We commend him for his activism in raising awareness of violent crimes in this United States.

As has been noted, at the age of 16 years, David Ray Ritcheson was brutally assaulted in April of 2006 while attending a party in Spring, Texas. He was hospitalized for more than 3 months, had more than 30 surgeries to restore his appearance and regain his health. David Ray Ritcheson recovered and became a spokesman and a tireless advocate against brutal crimes. He spoke eloquently and with great courage. He testified, even at his young age, with conviction before the House Judiciary Subcommittee on Crime, Terrorism and Homeland Security. He did so in a way that gave honor to both his convictions and his character. David Ray Ritcheson's courage stands as a testament to all crime victims, especially those who suffer brutal attacks.

Violent crime strikes at the heart of every victim, the victim's family, and their community. We must do all that we can to eradicate all violent crimes.

Today we gather in support of this resolution simply to mourn the passing of David, to extend our heart-felt sorrow and respect to his family and his community and all those whose life he touched with his courage. His memory will live on in our hearts. His courage will inspire us all.

I urge my colleagues to support this resolution.

Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, may I inquire as to how much time I have remaining?

The SPEAKER pro tempore. The gentlewoman from Texas has 14 minutes remaining.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Let me take an opportunity to acknowledge Albert and Laticia Galvin, the parents of David Ray Ritcheson. I mention them, their strength and their sense of dedication.

I also wanted to acknowledge the outpouring of support by the Members of Congress, members of the House Judiciary Committee and our local community. We came together, people from all segments of the community, to honor him in his passing, but also to commit ourselves to ridding our community of hate. Representatives from the NAACP and LULAC, faith leaders, elected officials, all of them put aside differences, as my good friend from Indiana has indicated, partisan differences, and realized that hate is really not the definition of America.

And if I might refresh the memories of my colleagues, just a few weeks ago we stood on the floor to acknowledge July Fourth, the Independence Day for America, again a day of joy. But the points of accolades for this Nation really focused not only on the Constitution and the Bill of Rights, which gives us the freedom of association, due process so that your rights are protected, but we're reminded of the Declaration of Independence. And it indicated that we all are created equal, with certain inalienable rights of life and liberty and the pursuit of happiness.

That's all that David sought in his young life, and I hope that as we move legislation forward, in the other body and here, on stomping out hate crimes, we will be reminded of this young life, not only David, but his mother and father, Albert and Laticia Galvin, who, if you met them, you would know how David was able to be so strong and so determined.

Mr. Speaker, I reserve the balance of my time.

Mr. PENCE. With that, I'm pleased to yield such time as he may consume to the distinguished gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I greatly appreciate the opportunity to pay tribute to David Ray Ritcheson, having met him, talked with him, and heard his testimony at the Judiciary Committee.

David Ray Ritcheson was truly a brave young man who had a horrible act committed against him. His early departure from this life made his story all the more tragic. The crime committed against him earlier in his life is one that should not be tolerated under any circumstances. The applicable State law dealt with that crime in such a way that I understand the main perpetrators received life and 90 years as sentences.

On hearing the sad testimony by David at our hearing, everyone was moved with a sense of outrage. Yet, on closer examination of what the majority was trying to do, it caused me to ask if there was anything in this hate

crimes bill that would have changed anything about David's terrible situation. After all, the hate crimes bill has no sentence higher than life. It's not a capital situation.

□ 1430

The answer was, and is, that there is nothing in the bill that would have really made any substantive difference in David's situation.

It is also tragic that any acquaintances of David who did not know the details of the brutality against him before apparently came to know about it through his courage and the national attention focused on him and the display of courage at our hearing. That is further testimony itself to his courage. But the ridicule at home that followed his testimony is also tragic. It is sad that he chose to end that life of such incredible potential.

David's earlier display of courage and the unfairness and outrage he faced deserve attention. He deserves a heartfelt salute. His family has our thoughts and prayers with them, especially in this loss of such a beautiful soul with so much potential.

But the bill being touted in this resolution does not bring us together. It divides us by saying that some people in this country are more important to protect than others. It divides by saying, for example, that those tragically killed at Virginia Tech are not as important to protect as a transvestite with gender identity issues. The bill further seeks to squelch religious teaching about immorality.

I stand here on the floor today to salute David Ray Ritcheson, an incredible young man. I want with all my heart to vote for a resolution to pay him proper tribute as well. But, unfortunately, I cannot vote for a resolution that, since it includes a pursuit and an adulation of the hate crimes bill, I cannot see the use of this tragedy to vote to give accolades to a bill that I think harms America and divides us.

If there is a recorded vote, I will vote "present" out of my incredible respect for David Ritcheson. But my "present" vote will also avoid the hypocrisy of my saying I support the hate crimes bill when I believe it harms the country, it harms religious teaching, and it would not undo what was done to David.

I look forward to any opportunity to do anything to pay tribute to David Ritcheson standing on its own.

Mr. PENCE. Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as this bill is intended to do, let me dwell on the life of David Ray Ritcheson and how much he has contributed to moving this country forward. I would like to read just a portion of his statement from his own words in the Judiciary Committee speaking about the experience of his tragedy:

"After burning me in the center of the forehead, the skinhead attacker was heard saying that now I looked like an Indian with a red dot on my forehead. Moreover, the witnesses to the attack recall the two attackers calling me a 'wetback' and a 'spic' as they continued to beat me as I lay unconscious. Once the attack came to an end, I was dragged to the rear of the backyard and left for dead."

The bill that David was so articulate in helping us move forward provides resources for our smaller communities in order to ensure that if Federal resources are needed, that nexus, that connection, that assistance would be provided. Therefore, it is clear that David's testimony helped assist rural communities.

I cite, for example, another tragic incident that occurred in a rural area, and maybe the county in that area might not have been able to move forward. This bill, however, is already out of the House. So our tribute today really focuses on the courage which David provided to move that bill forward.

In Wyoming, Matthew Shepard was in a rural area. It was a rural area in Jasper, Texas, with Mr. James Byrd. So we know that the bill that has passed the House truly would provide assistance to those communities that would ask for it if such a tragedy occurred in their community. Again, Mr. Speaker, simply if they asked for it.

I want to emphasize that this is about David, so let me share with you his words. These are the words that he offered to the Judiciary Committee: "It has been a blessing to know that the most terrible day of my life may help put another human face on the campaign to enact a much needed law such as H.R. 1592. I can assure you from this day forward I will do whatever I can to help America become our great country, the United States of America a hate-free place to live." These are David's words.

As we move forward in trying to capture what his life was truly about, this young, friendly, cheerful student at Klein Collins High School in the Houston suburb of Spring, Texas, popular and a talented football athlete, who was loved and admired by his family and friends, we want to ensure that, as we go forward, if such a dastardly act would happen again, we focus on the family.

Mr. Speaker, we would like to see health care support, including supportive counseling and therapy to prevent future severe depression; construction and personnel costs for shelters and hate crime support centers; direct service providers who are trained to try and help those who have been victims of hate crimes; health care insurance for counseling and therapy; hotline services, so for those who witness hate crimes or other acts, we would be able to provide an immediate source of information for them to report what happened; short- and long-term individual counseling and support

groups for hate crime victims and their families.

This is a time to acknowledge this former running back and freshman homecoming prince, who spent more than 3 months in the hospital. But at the same time, it is a time of celebration. That is what this resolution stands for. Let me thank the list of co-sponsors who have provided their affirmation of the importance of David's life.

Mr. Speaker, with that, I reserve the balance of my time.

Mr. PENCE. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I would like to say to my friend across the aisle, the idea of assisting with counseling for anyone who has been through something so traumatic as what David Ritcheson experienced is a good idea. I would support a measure of that order.

Matthew Shepard was mentioned, as was James Byrd. Of course, most of us are familiar with those situations. Mr. Byrd was attacked because he was an African American. He was brutally drug behind a vehicle. And if I had my way and could put into law the law I would like to address that, it would be to allow the family of the victim to choose the terrain over which to drag the defendants, if they were convicted, and the rope by which to drag them. But, again, capital punishment was not an issue in this hate crimes bill.

Mr. Byrd's perpetrators, two received the death penalty, as I recall, and one received a life sentence, and that was State resources without the assistance of the Federal Government. With Matthew Shepard, I believe there were two life sentences in those cases, which would further not have been enhanced.

But I look forward to the day, as Martin Luther King said, when we are judged by the content of our character, not the color of our skin, and I would submit not by any other factors over which we have no control.

When it comes to a hate crime bill, we ought not to be dividing. A transvestite deserves protection. David Ritcheson, my goodness, deserved protection. We should work together to bring this Nation together, not divide it by saying some people deserve more protection than others.

Again, I think the idea of counseling, it might have served David well because, goodness knows, he had been through a great deal of trauma. Perhaps that would have assisted him in not bringing a permanent end to a temporary problem, which made it all the more tragic.

So I would welcome the opportunity, if something in the form of legislation along those lines were to arise, in working with my colleagues on the other side.

Mr. PENCE. Mr. Speaker, I am actually prepared to close with the gentlewoman's forbearance.

Ms. JACKSON-LEE of Texas. I am prepared to close. If the gentleman would close, I will follow.

Mr. PENCE. I would be pleased to do that. I thank the gentlewoman for her courtesy.

Mr. Speaker, I rise in support of this resolution, H. Res. 535, commending David Ray Ritcheson, and urge my colleagues to support it.

Let me say from my heart, I have great respect for the gentlewoman from Texas. She and I have an intellectual difference of opinion on the merit of hate crimes legislation. The legislation specifically referenced in this resolution as having been passed in this Congress even earlier this year as a result of some of the work of the man that we are honoring, I did not support and I do not support.

I don't support hate crimes laws. I don't support penalizing thoughts like action. But I do support courage. I do believe in that ancient adage that says if you owe debts, pay debts; if honor, then honor; if respect, then respect.

I disagree with the gentlewoman on the subject of hate crimes legislation. I disagree therefore with the late David Ray Ritcheson on that issue. But I rise today because this resolution says that the House of Representatives mourns the passing of David Ray Ritcheson and commends him for his activism in contributing and raising awareness toward the eradication and elimination of hate crimes in the United States.

We can come together as a Congress, and I expect we will today, to pay a debt of gratitude that we owe to a life that ended too soon. I commend the gentlewoman for her quite typical and forceful advocacy of her views, but I urge my colleagues to meet on that common ground of paying a debt of gratitude to a life that, as his family looks into this debate, I hope they know whatever our views are on the issues in which David found himself caught in violence and then standing in the national debate, we admire him, we honor his life, and we mourn his passing as a Congress and as a Nation.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the distinguished gentleman from Indiana for his courtesies. That is the note which I will end on, is a note of courage.

As we look at this young man, and I am going to do something quite unusual, Mr. PENCE, the family is watching, and I would hope that that would be the spirit of this resolution, simply to acknowledge the courage of David Ray Ritcheson, this talented young man, as I have said, Laticia and Albert Galvan's child, the brother of so many siblings, that they would understand what it took to come into the Judiciary Committee room.

We would like to thank the cosponsors of this legislation, and I would like them to have a lasting impression of this distinguished young man.

□ 1445

The courage, fortitude, the work he has done has enlightened many. As Mr.

PENCE said, we can have a number of debates and questions about the underlying issue, but the above-lying issue is simply a resolution thanking a young man who has lost his life in the face of an unspeakable tragedy. And we are all committed, whether it is a moral question or whether it is by legislative initiative, we abhor hatred. This Nation was not founded to promote hatred, although many of us came to this Nation differently.

So I would simply ask my colleagues to join me. And I yield to the gentleman from Indiana (Mr. PENCE) for an inquiry. His family is watching, and I hope this can be perceived, this is an unlikely question to you, be perceived simply as a resolution, making no further statement, on the celebration of his life. We would like to call for a vote, and we would like to have your support. I have heard that you are willing to support this on that basis, and I would like to commend this to my colleagues simply on that basis. This is a resolution honoring a young man who has called to the attention of all of us the idea of the fact that we all abhor hatred of any kind.

Mr. PENCE. Mr. Speaker, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Indiana.

Mr. PENCE. I thank the gentlelady for yielding, and I appreciate the spirit of her remarks. Both her remarks and the express language of the resolution have to do with the House of Representatives mourning the passing of David Ray Ritcheson and commanding him for his activism, and that is certainly a resolution I can and will support on the floor in whatever manner it comes forward.

Ms. JACKSON-LEE of Texas. I thank the distinguished gentleman.

Mr. GOHMERT. Will the gentlelady yield?

Ms. JACKSON-LEE of Texas. I would be happy to yield.

Mr. GOHMERT. Thank you for yielding, and I just want to wholeheartedly applaud and pay tribute to your gesture here. A salute to the life of David Ritcheson is a wonderful thing. I thank you for doing that.

Ms. JACKSON-LEE of Texas. Thank you for your kindness.

Let me bring my remarks to a close by reading some of the words I read before. I will end with these words: "It has been a blessing to know," and this was testimony in the House Judiciary Committee "that the most terrible day of my life may help put another human face on the tragedy," and these are my words, of hate crimes and hatred.

Let me thank the gentleman from Michigan (Mr. CONYERS) for his leadership. Let me thank the ranking member, the gentleman from Texas (Mr. SMITH), as well as the ranking member of the Subcommittee on Crime and the chairman of the Subcommittee on Crime Mr. SCOTT. All of them have been generous, as has the staff of the Judiciary Committee, in helping us pay

tribute to David Ray Ritcheson. May he rest in peace. God bless his family, and God bless America for being the Nation that abhors hate and recognizes this beautiful young man.

Mr. CONYERS. Mr. Speaker, today I rise in memory of the life of David Ray Ritcheson. I met David when he testified last April before the Judiciary Committee at a legislative hearing on the Hate Crimes Prevention Act. He had the courage to come forward and testify about the need for that legislation and the impact of hate crimes on communities and families. He spoke from the heart and from experience.

David survived a horrific attack last year that required him to endure countless operations to restore his appearance and body. He was the voice for all who could not speak and did an admirable job. I believe that his story served as a inspiration that led the House to pass the Hate Crime Prevention Act on May 3 of this year.

It is a tragedy that David will not see the fruit of his labor. The psychological wounds from the crimes inflicted upon him finally caused David to take his life on July 1, 2007.

I hope that this resolution will convey to his family and community the heartfelt condolences of this House.

It is also my hope that the brutal attack that he survived will not define his life. David Ritcheson should be remembered in his community as a friend, a classmate, a football player and a son.

House Resolution 535 is a fitting tribute to David Ray Ritcheson. It honors David as someone unafraid to stand and speak for the victims of hate crimes, so that we could act to protect other communities in the future. He will be remembered and missed.

I ask my colleagues to join me in supporting this well-deserved resolution.

Mr. BACA. Mr. Speaker, I rise today in support of H. Res. 535, a resolution to honor the leadership, in raising awareness of hate crimes, of David Ray Ritcheson, a Mexican American who was severely assaulted on April 23, 2006, and passed away last week.

Role models come in all shapes and sizes. Jackie Robinson, Rosa Parks, Martin Luther King, Jr., Cesar Chávez, are all great role models who led by example.

Just a few months ago, in our halls of Congress, David Ray Ritcheson at the young age of 18 exposed the harsh reality of hate crimes through his personal experience.

Today, we honor his efforts and leadership on this issue.

After having survived one of the most horrific hate-motivated criminal acts, David Ray courageously testified in support of the "Local Law Enforcement Hate Crimes Prevention Act of 2007," H.R. 1592, which passed the House on May 3, 2007.

In his testimony he stated: "It has been a blessing to know that the most terrible day of my life may help put another human face on the campaign", "education can have an important impact by teaching against hate and bigotry".

We must continue his efforts.

My prayers are with his family in their time of need.

We must not forget one of our present day's great role models. David Ray has and will continue to be a strong reason why hate crimes must be exposed.

I urge my colleagues to carry on his efforts to put an end to all hate crimes, and vote for this important legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON-LEE) that the House suspend the rules and agree to the resolution, H. Res. 535.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. JACKSON-LEE of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

**EXPRESSING SENSE OF CONGRESS REGARDING A CHILD OF A DECEASED MEMBER OF THE ARMED FORCES**

Ms. JACKSON-LEE of Texas. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 175) expressing the sense of Congress that courts with fiduciary responsibility for a child of a deceased member of the Armed Forces who receives a death gratuity payment under section 1477 of title 10, United States Code, should take into consideration the expression of clear intent of the member regarding the distribution of funds on behalf of the child.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

**H. CON. RES. 175**

Whereas the death gratuity payable under section 1477 of title 10, United States Code, upon the death of a member of the Armed Forces, is intended to provide funds to meet the immediate needs of the survivors of the deceased member;

Whereas such section designates the surviving spouse and any children of a deceased member as the highest and second highest priority, respectively, to receive the death gratuity payment; and

Whereas a member with a child or children, but no spouse, usually designates another individual to be responsible for that child or children and may express a desire that such individual receive the death gratuity payment on behalf of the child or children; Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),* That it is the sense of Congress that courts with fiduciary responsibility for a child of a deceased member of the Armed Forces who receives a death gratuity payment under section 1477 of title 10, United States Code, should take into consideration the expression of clear intent of the member regarding the distribution of funds on behalf of the child.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Ms. JACKSON-LEE) and the gen-

tleman from Indiana (Mr. PENCE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

**GENERAL LEAVE**

Ms. JACKSON-LEE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Concurrent Resolution 175 deals with a tragic situation where a member of the Armed Forces dies leaving a surviving child but no spouse. This resolution expresses a sense of Congress that State courts with fiduciary responsibility for the child of a deceased member of our Armed Forces should take into consideration the express desires of the fallen soldier as to how funds related to the soldier's service should be distributed on behalf of a surviving child.

When an American soldier makes the ultimate sacrifice, not only does our country suffer a terrible loss, but that soldier's family suffers directly. Among many other concerns, a family faces a number of immediate financial challenges; and, unfortunately, these challenges come in the midst of their grief. These financial and emotional hardships are compounded when the deceased servicemember was a single parent.

I thank the mover of the bill for his leadership and the cosponsors, thank the members of the Judiciary Committee, Chairman CONYERS and the ranking member Mr. SMITH.

This bill helps the surviving family members of a fallen soldier better cope with these financial hardships. Congress established a death gratuity intended to address some of these expenditures families must cover during the traumatic period following a loved one's death.

The current system administering the death gratuity, however, often makes it difficult for those left with the responsibility of caring for a fallen soldier's child to access these funds. A death gratuity payable to a minor child is placed in trust until the child gains majority status. In the interim, the relevant State court has discretion to release funds for the care and needs of the child.

The problem here is that the Armed Forces personnel who are single parents currently have no formal way to designate, for the purposes of the death gratuity, a caretaker for their minor child in the event of a servicemember's death.

It is our duty to do all we can to ensure that the children left behind are cared for as their parent requested. When servicemembers make it clear