

that the scope and duration of a withdrawal order under §204(e) were within the Secretary's discretion, subject to judicial review. The court did not view §204(e) as a veto provision and thus did not address the bicameralism and presentment issues. The court added, however, that if the section were interpreted to permit a congressional committee, by majority vote, to direct the Secretary to withdraw wilderness areas until the date specified in the Resolution, the committee action would be, in effect, an attempt to amend the Wilderness Act of 1964, and would be unconstitutional under the Ninth Circuit's decision in *Chadha v. INS*, 634 F.2d 408 (9th Cir. 1980). See *Pacific Legal Foundation (PLF) v. Watt*, 529 F. Supp. 982 (D. Mont. 1982), on reconsideration, 539 F. Supp. 1194 (D. Mont. 1982) (final order of Aug. 31, 1982, unpublished).

The constitutionality of the legislative veto device has since been firmly and finally decided. *INS v. Chadha*, 51 U.S.L.W. 4907 (June 23, 1983); *Consumer Energy Council v. FERC*, 673 F.2d 425 (D.C. Cir. 1982), aff'd, 51 U.S.L.W. 3935 (June 29, 1983), *Consumers Union v. FTC*, 691 F.2d 575 (D.C. Cir. 1982), aff'd, 51 U.S.L.W. 3935 (June 29, 1983). There remains no doubt that the power to direct withdrawal of lands granted to a single Congressional Committee by §204(e) is, by its terms, a legislative veto and is unconstitutional under *Chadha*.

At the request of Interior, this Office examined §204(e) and the relevant case law in conjunction with a Resolution of August 3, 1983, by the House Committee on Interior and Insular Affairs, which purported to direct the Secretary to withdraw lands in the Fort Union Coal Region of Montana and North Dakota. We determined and advised Interior that the Resolution passed pursuant to §204(e) purporting to direct withdrawal was unconstitutional as a legislative veto and was not salvageable under the construction of the court in *PLF v. Watt*. We further determined and advised that constitutional failure of the veto provision has no effect on the substantive authority granted to the Secretary of Interior by the statutes.

Congressional Research Service, Memorandum, June 20, 2008.

SUBJECT: Constitutional Issues with §204(e) of the Federal Land Policy and Management Act of 1976, as amended.

... For there to be a legal obligation to withdraw land imposed on the Secretary of the Interior pursuant to §204(e), the [*INS v. Chadha*, 462 U.S. 919 (1983)] decision requires that actions of Congress comply with both the bicameralism and presentment clauses of the Constitution. The single committee resolution contemplated by §204(e) does not satisfy these requirements and, therefore, cannot be said to impose any legal obligation on the Secretary to withdraw land. Accordingly, should such a resolution be adopted it appears likely that the Secretary would be well within his authority to interpret it as informational and/or advisory in nature and, thus, will be able to avoid taking the actions contemplated under the statute. Should Congress wish to impose a binding legal obligation on the Secretary it could opt either to pass a joint resolution or a bill, both of which satisfy the bicameralism and presentment requirements of Article I, as they would need to be presented to the President for his signature or veto (and in the case of a veto be overridden) to have the necessary effect of mandating that the Secretary withdraw land.

RETIREMENT OF MR. RICARDO SANCHEZ FROM THE CORPUS CHRISTI RTA

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 26, 2008

Mr. ORTIZ. Madam Speaker, I rise today to congratulate Mr. Ricardo Sanchez of Corpus Christi, TX on his retirement from the Corpus Christi Regional Transportation Authority.

Ricardo has been an excellent public servant for the Coastal Bend and has dedicated his professional career to improve the transportation infrastructure of South Texas.

Ricardo has over 27 years of professional and managerial experience in public transportation. He started his career in public transportation with Houston Metro in 1983 and moved to the Corpus Christi RTA in 1986 to serve as Assistant to the General Manager.

During his tenure with the Corpus Christi RTA, Ricardo worked in varying and extensive capacities serving as Assistant to the General Manager for Contracts and Procurement; Director of Contracts and Materials Management; Director of Maintenance Services, and Director of Special Projects.

In May 2004, Ricardo was selected by the RTA Board of Directors to serve as Interim General Manager for the agency and later hired as the agency's General Manager.

Ricardo has been a productive member of the community, serving in numerous leadership posts such as Board Member of the National Archives and Historical Foundation of the American GI Forum, Vice-Chair of the Corpus Christi Arts and Cultural Commission, and President of the Houston Chapter Association for the Advancement of Mexican Americans.

Ricardo and his wife, Carmen, have three wonderful daughters—Yliana, Marisa, Teresa—and have one grandchild, Andrea.

I congratulate Ricardo on his retirement and wish him and his family the best of luck during the next chapter of his life.

HONORING ROBERT BEATTY ON 50 YEARS WITH THE INDIAN RIVER LIONS CLUB

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 26, 2008

Mr. STUPAK. Madam Speaker, I rise to recognize Robert Beatty of Indian River, Michigan. Mr. Beatty has served as a member of the Indian River Lions Club for 50 years, and I ask that you, Madam Speaker, and the entire U.S. House of Representatives, join me in honoring his 50 years of service to the Indian River community.

Born in Marietta, Ohio, on April 24, 1923, Robert Beatty moved to Indian River in 1946. He and his wife, Edith, will have been married 61 years this October. Together, they have raised three lovely children.

Mr. Beatty's service with the Lions Club, the world's largest service organization, is truly commendable. His first contact with the Lions Club came in 1958 at a poker game with Anthony Schneider, the founding member of the Indian River Lions Club chapter. After dis-

cussing the mission of the Lions Club, he was so enthusiastic that he decided to join the next day.

Mr. Beatty quickly rose through the ranks. After only 3 days of membership, he took on the role of treasurer. Since that time, he has held every position within the club except secretary and has been on the board of directors for all 50 years of his membership. With a reputation of being the first to volunteer for every community service project, his leadership in the Lions Club has been instrumental to their service for the Indian River community.

Mr. Beatty's community service extends beyond his activities with the Lions Club. As a former member of the Indian River school board, he worked diligently to improve education within his community. A veteran of the U.S. Army, Mr. Beatty is also a lifetime member of the Veterans of Foreign Wars, continuing to serve his community and assist his fellow veterans through his membership.

Madam Speaker, as Robert Beatty celebrates his 50 years of faithful service with the Indian River Lions Club, I ask that you and the entire U.S. House of Representatives join with me in thanking Mr. Beatty's for his dedicated service. Indian River is no doubt a better place because of Mr. Beatty's years of involvement in the community.

SUPPORTING HUMAN RIGHTS IN VIETNAM

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 26, 2008

Mr. AL GREEN of Texas. Madam Speaker, Respect for human rights and individual freedom is an important element of American foreign policy. Therefore, it must be the goal of the United States government to work towards enhancing human rights conditions, individual liberty and religious freedom in Vietnam. Moral imperatives such as freedom and individual rights are exceedingly important in establishing a mutually beneficial diplomatic relationship.

The current human rights situation in Vietnam is unacceptable. I am greatly concerned about state sanctioned oppression that has left numerous Vietnamese citizens helpless in the face of a government that has chosen to exercise repressive rule over a population that seeks individual, political and religious freedom. There are numerous religious and political prisoners imprisoned in Vietnam. Political prisoners are placed in conditions that are unacceptable. The international community should not sit idly by and allow this behavior to continue without condemnation.

In Vietnam, according to Human Rights Watch, "2007 was characterized by the harshest crackdown on peaceful dissent in 20 years." Additionally, since gaining membership in the World Trade Organization, it has been reported that Vietnam moved to suppress all challenges to the Vietnamese Communist Party (VCP) by arresting dozens of democracy and human rights activists, independent trade union leaders, underground publishers, and members of unsanctioned religious groups.

The government of Vietnam should not be rewarded by the United States government and the international community for stifling the

freedom of the press, arresting dissidents, and labeling religious activity as subversive. We need a bilateral relationship with Vietnam that enhances individual freedom, democracy, and freedom of speech. I will continue to work in Congress to help promote democracy and end oppression in Vietnam.

HONORING THE ACCOMPLISHMENTS OF MR. BASIL C. MARHOFFER

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 26, 2008

Mr. MORAN of Kansas. Madam Speaker, today I rise to recognize and celebrate the accomplishments and career of Mr. Basil C. Marhofer, a good friend from my home State of Kansas. Mr. Marhofer will be retiring Monday, June 30, from a successful career as a distinguished lawyer and public servant.

Mr. Marhofer's contribution of service has spanned over six decades. After graduating from Ness City High School in Ness City, Kansas, in 1942, Mr. Marhofer served his nation in the European theater in the Second World War. After returning from Europe, Mr. Marhofer enrolled in the University of Kansas Law School and graduated in 1951. He opened his first law office that same year in Ness City.

Soon afterwards, Mr. Marhofer was appointed Ness County Attorney, a position that he held until 1959. After spending a short time in Boulder, Colorado, at the University of Colorado Law School, Mr. Marhofer returned to Ness City and to his position as county attorney, where he remained until 1968. In 1971, Mr. Marhofer was elected Mayor of Ness City where he served for 8 years.

Mr. Marhofer has been actively involved in his community, including the local Masonic Lodge and Rotary International. He has held many offices in Rotary International, including District governor and director. In 1988, Mr. Marhofer was elected vice president and represented Rotary International on five continents.

Mr. Marhofer has spent his life serving his community, State, and country. I am proud to know him and to have this opportunity to recognize him. To him, serving his community is not a burden—it is a calling and a way of life. Whenever I have the opportunity to visit Ness City, Mr. Marhofer is always there, greeting me with the utmost hospitality. He is a just scholar of law and an honest public servant who sets an example for us all. I wish him the best as he enters retirement.

TRIBUTE ON THE RETIREMENT OF CHIEF WILLIAM KIDWELL

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 26, 2008

Mr. FOSTER. Madam Speaker, I am submitting this statement to express congratulations and gratitude to Chief William Kidwell on the occasion of his retirement from the Geneva Police Department.

On July 1, Chief Kidwell will end a 35-year career of distinguished service to his community. He joined the Geneva Police Department in 1973 as a captain, and rose quickly through the ranks. During his 27-year tenure as chief, the department expanded from a force of 13 officers and 4 patrol cars to 8 squads of 37 officers.

Chief Kidwell is known in the department and throughout the community as a leader with high integrity. He exemplifies the devoted public service to which we all should strive.

I offer my best wishes to Chief Kidwell and his family, and I thank him for more than three decades of service.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 26, 2008

Mr. BECERRA. Madam Speaker, on Monday, June 23, 2008, I was unable to cast my floor vote on rollcall vote 438.

Had I been present for the votes, I would have voted "aye" for rollcall vote 438.

SCHOOL TO WATCH

HON. ERIC CANTOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 26, 2008

Mr. CANTOR. Madam Speaker, I am proud to congratulate Short Pump Middle School, located in Henrico County, VA, for their recognition as a School to Watch by the National Forum to Accelerate Middle Grades Reform. This forum is an alliance of more than 60 educators, researchers, and officers of national associations and foundations dedicated to improving schools for young adolescents across the country. They have identified Short Pump Middle as a high-performing school that excels in many areas of education. Congratulations to the administration, teachers and students on this tremendous honor. National organizations recognize what we in Richmond already know—that Short Pump Middle is first rate. As the parent of 3 Short Pump Middle School alumni, I congratulate the teachers, parents, administrators and students on this outstanding recognition.

INTRODUCTION OF THE "AFGHANISTAN-PAKISTAN SECURITY AND PROSPERITY ENHANCEMENT ACT"

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 26, 2008

Mr. VAN HOLLEN. Madam Speaker, I rise today to introduce the Afghanistan-Pakistan Security and Prosperity Enhancement Act. The legislation is a national security bill aimed at protecting our homeland and those of our allies in the fight against Al-Qa'ida and the Taliban. This bill authorizes the President of the United States to designate Reconstruction

Opportunity Zones (ROZs) in Afghanistan and in certain regions of Pakistan. These ROZs will allow qualified businesses duty-free access into U.S. markets for designated products, thereby providing significant employment opportunities where none currently exist. A ROZ program could go a long way to bolster economic development in this critical region of the world where extremists have tried to exploit the lack of economic opportunities to gain recruits for their radical agenda.

The countries of Afghanistan and Pakistan are key to the fight against Al-Qa'ida and its Taliban allies. Al-Qa'ida is the group that masterminded and carried out the deadly terrorist attacks of 9/11 that took the lives of nearly 3,000 Americans. It would have had difficulty doing so if were not given safe-haven by the Taliban, then in control of the Afghan government and much of the country.

The U.S.-led effort to topple the Taliban regime and pursue Al-Qa'ida terrorists in the aftermath of 9/11 initially weakened both of these groups but there are disturbing signs that they are regrouping and strengthening, particularly along the porous Afghanistan-Pakistan border. The declassified National Intelligence Estimate on "The Terrorist Threat to the U.S. Homeland," published in July 2007, stated: "Al-Qa'ida is and will remain the most serious threat to the Homeland, as its central leadership continues to plan high-impact plots, while pushing others in extremist Sunni communities to mimic its efforts and to supplement its capabilities. We assess the group has protected or regenerated key elements of its Homeland attack capability, including: a safe haven in the Pakistan Federally Administered Tribal Areas (FATA), operational lieutenants, and its top leadership."

More recently, the State Department's "Country Reports on Terrorism 2007," published in April 2008, noted that "Afghanistan remained threatened by Taliban and other insurgent groups and criminal gangs, some of whom were linked to [Al-Qa'ida] and terrorist sponsors outside the country." The same report also noted that "Despite the efforts of both Afghan and Pakistani security forces, instability, coupled with the Islamabad brokered ceasefire agreement in effect for the first half of 2007 along the Pakistan-Afghanistan frontier, appear to have provided [Al-Qa'ida] leadership greater mobility and ability to conduct training and operational planning, particularly targeting Western Europe and the United States."

Enhanced security efforts by the United States, Pakistan and Afghanistan are needed to disrupt and weaken Al-Qa'ida and the Taliban, but security measures alone will not rid them of these menacing groups—terrorists who continue to want to do us harm and are a threat to democracy and the rule of law. These extremist groups exploit the poor socioeconomic conditions, such as high unemployment, in the border areas, to gain adherents to their nefarious causes. With no meaningful alternatives, young men in particular are vulnerable to their entreaties.

Creative ways must be found to give young Pakistanis and Afghans a positive vision of the future. One such way is to create sustainable jobs in these vulnerable areas so that the promise of a decent living makes more sense than following the warped ideology of the terrorists.