

is a flat violation of the Constitution, constituting a bill of attainder. The Constitution says Congress shall pass no bill of attainder.

The Supreme Court has ruled a bill of attainder is a legislative act that, no matter what their form, applies either to named individuals or to easily ascertainable members of a group in such a way as to inflict punishment, and then without a judicial trial. That's exactly what this amendment does.

It may be that ACORN is guilty of various infractions, and if so, it ought to be investigated, maybe sanctioned, whatever, by the appropriate administrative agency or maybe by the judiciary. Congress must not be in the business of punishing individual organizations or people without trial.

That's what this amendment did. It is flatly prohibited by the Constitution. And once confidence in this institution is sapped, when we ignore the Constitution, we ignore constitutional principles, that whatever one may think of the subject matter or the organization here, the Constitution and the ban on bills of attainder is there for the protection of the liberties of all of us.

It's unfortunate that we passed this, and I certainly hope it is removed in the conference committee.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

HONORING PRESTON M. "PETE" GEREN, III

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

Mr. EDWARDS of Texas. Mr. Speaker, I rise today to honor the dedicated public service of our friend and former colleague, Preston M. "Pete" Geren, III. Tomorrow, September 18, will be the last day of Mr. Geren's service as Secretary of the United States Army, but I am confident it will not be his last day of service to the country he has served so well.

Pete Geren's service to country began 26 years ago as an aid to the distinguished Senator from Texas, Lloyd Bentsen. The depth and breadth of Pete's public service since then has been rarely matched in American history.

For 8 years, this native son of Fort Worth served the 12th District of Texas here in the U.S. House of Representatives. As a member of the Armed Services, Science and Technology, and Public Works and Transportation Committees, Congressman Geren earned the respect of Democrats and Republicans alike as an intelligent, hardworking, and effective Member of Congress. He championed, among many others, the

causes of a strong national defense, fiscal responsibility, and bipartisanship.

Pete Geren earned the respect of his constituents in Texas and his colleagues here in Washington because he always treated others with respect. He personified the Golden Rule each and every day, and in doing so, set a standard of public service that we would all be well served to follow.

I will never forget a December day in the late 1990s, standing right on the back row here, when House votes were unexpectedly added for a Friday afternoon. Pete was torn between going back to Texas, where his family was, and seeing his daughter in her school Christmas play or staying in Washington for the unscheduled vote.

This devoted father agonized over that decision and ultimately decided that he had an obligation to cast a vote on behalf of his constituents. It was not long after that that Pete made the decision to retire from Congress. And I will always believe that his love of family and the missed Christmas play that day strongly impacted his decision to retire.

Four years later, his country called on Pete Geren once again. A lifetime Democrat, Pete was called by the George W. Bush administration to serve in the Pentagon. 2001 began a remarkable chapter of service to our Nation's defense.

From 2001 to 2009, during a time of war and a critical time in our Nation's history, Pete Geren served as Special Assistant to the Secretary of Defense in the areas of interagency initiatives, legislative affairs, and special projects. He then was appointed to serve as the Acting Secretary of the Air Force, and later as Acting Secretary of the Army.

In March of 2007, Pete Geren was confirmed as United States Secretary of the Army. In that position, he championed the cause of improving the quality of life for every Army soldier and every Army family. For years to come, because of the dedicated leadership of Secretary Geren, soldiers will live in better housing. They and their families will receive better health care, and they can know that their children will attend quality schools. Pete Geren, as Secretary of the Army, set up covenants between communities and the military installations in which they existed.

Pete Geren's accomplishments are too numerous, Mr. Speaker, to list them all today, but I think one of his greatest legacies will be that he proved that in the rough-and-tumble world of politics in Washington, D.C., one can succeed at the highest levels of public service through hard work, respect for others, solid integrity, and genuine humility.

Pete Geren is living proof that public service can and should be a noble calling. I wish him, his wife, Becky, and their family all the best in the years ahead.

SOUDER AMENDMENT ON STUDENT LOANS

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

Mr. SOUDER. I wanted to briefly explain what happened to the Souder amendment in the student loan bill. We had worked out an agreement last night, and then I was occupied over in a border security hearing that was very important on SBInet and didn't make it over to the floor. I appreciate that Chairman MILLER explained the compromise some, but I wanted to go through a little bit of what the history of this is.

First, in existing law, both a possession conviction and a dealing conviction will result in your loss of a student loan. You can get that loan back by going through treatment, drug testing. You can get it back in the second year.

The second time it happens—this is while you have a loan—if you get convicted, then you would be suspended for 2 years, unless you went through treatment and then were drug-tested as clean. The third time and you're out. Now, for dealing, it was two times.

There's been a lot of ruckus about how this law was initially applied, but we fixed that. I had no intention ever of punishing people who at some time in their life had problems, whether it was in high school or in their later life that they had convictions.

I believe in forgiveness. I believe it's important that people get back on the right track. I believe that we need to work in our prison population to get them to move back to school, to get the degrees possible.

The initial debate on this law on the House floor and in committee said: You will lose your loan. You can't lose a loan if you don't have a loan. We had debate about that for many years. We got that fixed. But I believe, overwhelmingly, every poll shows that the American people believe that if you are convicted, which is not easy when you're on a college campus, while you're getting taxpayer funding, you should lose the funding. It doesn't mean you're going to lose school. It doesn't mean you're going to go out. But why should the taxpayers fund you if you're going to be basically drug-addled while you're at school?

The challenge with this debate is that it has become kind of a cause celebre in the marijuana community. As this progressed, as we did the reauthorization on student loans, the so-called Souder amendment was not completely knocked out, but possession was knocked out. We left the law in place for dealing.

So my amendment today would have reinstated possession as a grounds for losing a student loan.

Congressman PERLMUTTER from Colorado came to me and said he had a suggested compromise. He made his compromise, which basically says that conviction of a felony offense of narcotics

for possession, in addition to dealing—dealing is already covered in the Democratic bill—but would make felony conviction for possession also grounds for losing your student loan. Presumably, that's State and Federal felony conviction.

Now, in this, I was faced with several choices. One, I'm a Republican in a Democratic Congress. I was probably going to lose today. This was a practical way. I didn't want to see possession go out of the bill.

It basically means that marijuana won't be covered. If you have that much marijuana in your possession to be a felony, it probably means you're a dealer. You wouldn't have that much if you weren't a dealer. It's far more than individual use.

It basically covers meth, cocaine, and all sorts of other drug convictions for felony possession. It means the United States Government still stands on record saying that both possession and dealing should restrict your ability to get a student loan.

But there are some other practical things here. A lot of States, I believe, falsely and wrongly overrode Federal marijuana laws by decriminalizing marijuana, declaring that it was medical in some States when, in fact, marijuana is not medical. There are ingredients inside of marijuana that can be medical. We have Marinol, for example, that deals with that.

But they affect chaos in marijuana laws across the United States. It's very similar to what we are dealing with in Canada, as I debated up there as they proposed changing laws, and now Mexico has; and that is when different provinces have different laws and there's complete chaos in the laws, the Federal courts are not likely to uphold a law because it would be unequal enforcement.

So how would an Indiana student get denied a loan but a California student wouldn't get denied a loan? What about if it's somebody from Indiana who's in California going to school? What about if you're taking an online course combined with going to class, and the online course is based in California but you're going to school in Indiana? It's chaos. I do not believe, even had I won, the courts would have upheld my provision.

This shows, in fact, Republicans and Democrats can work together. It's very difficult on the major fundamental debate arguments. For example, I felt this was a Federal takeover of private lending and will lead to more Federal takeover and a national bank.

□ 1445

So we weren't going to be able to agree on the loans. But it doesn't mean inside, even on controversial provisions, that we can't work together. So I wanted to explain that, and I want to thank Chairman MILLER and Congressman PERLMUTTER for working with me.

THE PRESIDENT MUST REJECT PLANS TO SEND MORE TROOPS TO AFGHANISTAN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, every child and every adult is familiar with the story of Goldilocks. Remember how it goes:

After wandering into the three bears' house, Goldilocks saw three bowls of porridge. One was too hot, one was too cold, but one was the medium temperature, and it was just right. I mention this because The New York Times recently reported that Goldilocks is playing a role in shaping American defense policy. According to the report, General McChrystal is expected to give Secretary of Defense Gates three options for troop increases in Afghanistan. The three options are, first, 15,000 more troops; second, 25,000 more troops; or third, 45,000 more troops. Pentagon officials apparently believe that Gates will choose the medium option of 25,000 troops. According to the Times, they actually call this the "Goldilocks option."

Here's why: Sending 15,000 more troops would be too cold because it wouldn't be enough to satisfy the generals; sending 45,000 more troops would be too hot because it would cause political problems; so sending the medium number of troops, 25,000, is considered "just right."

Of course the problem with this is that Afghanistan is not a children's story. It is a real war where real people are getting killed, and it is rapidly losing the support of the American people. Recent polls show that the American people want to reduce our troop strength in Afghanistan, not increase it. The American people have good reason to oppose the escalation of the conflict. They know that the recent elections in Afghanistan were filled with fraud, and they believe the Kabul Government is more interested in corruption than in improving the lives of the Afghan people.

The American people also know that we have already spent nearly \$225 billion in Afghanistan but have little to show for it. Our troops have performed brilliantly and courageously, but the insurgency is growing, and the war is getting harder to fight every single day. Besides, they believe the money that we have poured into Afghanistan is desperately needed here at home for health care reform and other vital domestic problems. The American people also know that we do not have a clear mission in Afghanistan, there is no exit strategy, and they fear that we run the risk of being considered an occupying force. Since the Afghans have opposed and defeated every single foreign power that has ever tried to occupy their nation, it all seems to be a repeat of past failures.

For all of these reasons, we need to debate, and we need to reconsider what

the U.S. role is in Afghanistan. I am urging the House to support my bill, H. Res. 363, the SMART Security Platform for the 21st century. The SMART Security Platform would change our mission in Afghanistan to emphasize economic development, humanitarian aid, education, jobs, and better governance. It would also help Afghanistan develop its policing and intelligence capacity. Policing and intelligence, you see, are far more effective than massive military invasions when it comes to tracking down violent extremists in the communities where they lurk.

Mr. Speaker, if the administration sends more troops to Afghanistan, the United States will be doubling down on a strategy that has already failed. The Afghan people don't want the United States to occupy their country, and the American people don't want an occupation, either. I urge President Obama to reject any plan to send more troops to Afghanistan because, like Goldilocks who should not have eaten any of the porridge that did not belong to her, Afghanistan does not belong to the United States.

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

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

CZARS—SHADOW GOVERNMENT?

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

Mr. POE of Texas. Mr. Speaker, every President has the right to get advice from anybody he wants to get advice from. That's a good thing. United States Presidents have a tough job. They should have as many advisers as they wish. My dad, in fact, would like to be one of those advisers to this President and wishes he was an adviser to all the past Presidents.

These czars, as they are now called, are not new to the executive branch. But when a person crosses the line from being an adviser to being a policy-maker and decision-maker for the government, that person needs to be held accountable to the people of the United States. Someone who gives advice to the President is one thing, but there's a difference between an adviser and someone who sets a policy and implements that policy. Then that person has direct control over the American people. If this occurs, our Constitution requires that person be subject to the oversight of Congress to be legitimate.

The big questions become: are these czars advisers or are they policymakers? If they become policymakers, then transparency is important, accountability is important, and confirmation by the United States Senate