

Unfortunately, in most countries, defamation is still punishable by imprisonment, which threatens the existence of critical speech in the media. This is so despite the consistent rulings of the European Court of Human Rights in Strasbourg, stating that imprisonment for speech offences, especially when committed by criticizing public figures, is a disproportionate punishment.

Let us again remind ourselves of the journalists and bloggers I have mentioned above when discussing violence against journalists. They are currently in prison because their writing was considered defamatory. Their fate reminds us all of the importance of the right to freely speak our mind.

This problem needs urgent reform not only in the new, but also in the old democracies of the OSCE. Although the obsolete criminal provisions have not been used in Western Europe for decades, their "chilling effect" remained.

Furthermore, the mere existence of these provisions has served as a justification for other states that are unwilling to stop the criminalization of journalistic errors, and instead leave these offenses solely to the civil-law domain.

Currently, defamation is a criminal offence in all but ten OSCE countries—my home country Bosnia and Herzegovina, Cyprus, Estonia, Georgia, Ireland, Moldova, Romania, Ukraine, the United Kingdom and the United States.

Last year, three OSCE countries decriminalized defamation, which I consider to be an enormous success: Ireland, Romania and the United Kingdom; the last being the first among the Western European participating States to officially decriminalize defamation.

Some other countries, such as Armenia, are currently reforming their defamation provisions, and I hope that I can soon welcome the next country that carries out this important and very long overdue reform.

#### CONCLUDING REMARKS

Dear Chairmen,  
Dear Commissioners,  
Ladies and Gentlemen,

The above problematic areas—violence against journalists, restrictions of new media including the Internet, lack of pluralism and resistance to decriminalize defamation—are among the most urgent media freedom problems that need our attention and concentrated efforts today. However, we will also not forget about the many other fields where there is plenty of room to improve. Of course, I will not miss the excellent opportunity that we are here together today to raise your attention to the topic that my distinguished predecessor, Miklos Haraszti, has already raised with you: the establishment and the adoption of a federal shield law in the United States.

As you know, my Office has been a dedicated promoter of the federal shield law for many years. If passed, the Free Flow of Information Act would provide a stronger protection to journalists; it could ensure that imprisonments such as that of Judith Miller in 2005, and Josh Wolf in 2006, could never again take place and hinder investigative journalism. But the passage of such legislation would resonate far further than within the borders of the United States of America. It could send a very much needed signal and set a precedent to all the countries where protection of sources is still opposed by the government and is still not more than a dream for journalists.

I respectfully ask all of you, distinguished Commissioners, to continue and even increase your efforts to enable that the Free Flow of Information Act soon becomes the latest protector of media freedom in the United States.

And of course I cannot close my speech without mentioning my home country, Bosnia and Herzegovina. As you know, not only Bosnia and Herzegovina, but also most of the emerging democracies in the Balkans enjoy modern and forward-looking media legislation. We can openly say that they almost have it all when it comes to an advanced legal and regulatory framework enabling free expression to thrive. But it is not that simple. I use this moment to pose several questions: if there are good laws, then why do we still face severe problems in relation to media freedom, why do we stagnate and sometimes even move backward? Where does the problem lie? And, more importantly, how can we solve it and move ahead?

What Bosnia and Herzegovina shows us is that good laws in themselves are not enough. Without their good implementation, they are only documents filled with unrealized potential. In countries that struggle with similar problems, we must stress over and over again: without the full implementation of valid legislation, without genuine political will, without a comprehensive understanding of the media's role in a functioning democracy, without the creation of a safe environment for journalists to do their work, and without true commitment by all actors, these countries risk falling far behind international standards.

Apart from unmet expectations and disillusioned citizens, we all know that the consequences of politicized and misused media could be very serious. In conclusion, let me assure you, dear Commissioners, that I will not hesitate to openly and vigorously remind any country of their responsibilities toward implementing the OSCE commitments to the freedom of the media.

I am also asking you to use this opportunity today and send a clear message to the governments of all OSCE countries to do their utmost to fully implement their media legislation safeguarding freedom of expression. The governments have the power to create an environment in which media can perform their unique role free of pressures and threats. Without this, no democracy can flourish.

Thank you for your attention.

HONORING COLONEL EDWARD J. KERTIS FOR HIS DISTINGUISHED SERVICE TO THE RESIDENTS OF GEORGIA

HON. PAUL C. BROWN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

Mr. BROWN of Georgia. Madam Speaker, I rise today to honor Col. Edward J. Kertis for a distinguished career and the outstanding help that he has been to me, my staff, and the people in my district.

Col. Kertis assumed command of the Savannah District, U.S. Army Corps of Engineers, on June 29, 2007. Since his appointment, he has been responsible for a \$4 billion military design and construction program; water resources planning, design and construction; hazardous, toxic and radiological waste cleanup; and real estate activities.

Residents of my district are especially grateful for his help with water resources management during an historic drought. As the rains finally began to return, Col. Kertis took the unprecedented step of stopping flow from Thurmond and Hartwell Dams, allowing the lakes to fill while water was flowing into the Savan-

nah River from flooding creeks and streams. This common-sense decision provided economic relief to those communities who rely so heavily on the preservation of the beautiful lakes and parks of the upper Savannah River. But he has served his country in other ways as well.

Prior to his assignment to the Savannah District, Col. Kertis commanded the Walla Walla District, USACE, in Washington State from 2002–2004. He has also served as a platoon leader, staff officer, and battalion executive officer in the 27th Engineer Battalion; company commander in the 41st Engineer Battalion; and engineer company commander in the 1st Special Forces Operational Detachment—Delta. He was also the inaugural commander of the Northern District, Gulf Region Division, Iraq, during Operation Iraqi Freedom, where he managed construction projects in support of Coalition forces and the Iraqi government.

I ask my colleagues to join me in thanking Col. Kertis for his service to the nation and the dedication he has given his duties, and in wishing him all the best as he assumes his new assignment as Pacific Ocean Division Commander.

HONORING ROCK BRIDGE BOYS  
HIGH SCHOOL TENNIS TEAM

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

Mr. LUETKEMEYER. Madam Speaker, I ask my colleagues to join me in congratulating the Rock Bridge High School Boys Tennis Team on their outstanding season.

The young men and their coaches should be commended for all their hard work throughout the regular season and bringing home the Class 2 State Tennis Championship to their school and community.

I ask that you join me in recognizing the Rock Bridge High School Tennis Team for a job well done.

KEN GRIFFEY, JR.

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

Mr. REICHERT. Madam Speaker, I rise today in recognition of the recently retired Ken Griffey, Jr. Griffey retired last week from Major League Baseball after hitting 630 home runs, driving in 1,836 runs, and scoring 2,781 times. I won't even attempt to quantify the OOOHHHS and AAAAHS.

Griffey joined the Seattle Mariners in 1989, when I was with the King County Sheriffs Department. At times, I was assigned to provide security at many of the sporting events held at the Kingdome. At these events, I watched an assortment of professional athletes practice their trade in Seattle. When Ken Griffey, Jr., took the field, he scaled walls, hit tape-measure home runs, and rounded the bases with a smile on his face that made spectators instant fans. His career was extraordinary, his accomplishments legendary, and his impact on baseball in the Northwest may never be equaled.

Griffey played with exuberance and passion and created memories for baseball fans around the world.

A lot of Mariners fans were upset with Griffey when he left the Seattle Mariners after the 1999 season. Madam Speaker, I was not one. As a father, I completely understood Griffey's desire to be close to his family and play a bigger role in raising his children—a role too many men abdicate. Plus, Madam Speaker, his departure allowed for his joyous return, beginning in 2007 when he returned to Safeco Field in Seattle as a member of the Cincinnati Reds. The homecoming crowd cheered with delight, Griffey barely contained his emotions, and everyone knew "The Kid" would one day call Seattle home again.

It's fitting that Griffey ended his career in a Seattle Mariners uniform because he deserved to leave the game as a legend—and I believe his legend was established in Seattle. Madam Speaker, my staff and I wish Ken Griffey, his wife, and their three children the very best in the future. He changed baseball in the Northwest forever and his contribution won't be forgotten.

---

HONORING THE LIFE OF FIRST  
LIEUTENANT JOSEPH THEINERT

---

**HON. TIMOTHY H. BISHOP**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 9, 2010*

Mr. BISHOP of New York. Madam Speaker, I rise today humbly and with profound sadness to mark the death of Army First Lieutenant Joseph Theinert, who was killed in action in Kandahar Province, Afghanistan on June 4th.

A resident of Sag Harbor, in my Congressional district, Lt. Theinert graduated from Shelter Island High School in 2004. He distinguished himself in athletics, was Student Council president and was crowned king of his senior prom.

Deeply affected by the September 11th attacks, Lt. Theinert earned a BA degree from the University of Albany in 2008 and was commissioned a second lieutenant in May 2008 through the Siena College Reserve Officer Training Corps program. He had been deployed for one month in Afghanistan, attached to 1st Squadron, 71st Cavalry Regiment, 1st Brigade Combat Team, 10th Mountain Division.

Lt. Theinert was leading his platoon on a mission in Kandahar Province when they came under hostile fire and were forced toward an area mined with IEDs, according to his commanding officer. He disabled one IED and started to disarm a second one when the trigger mechanism sounded; however, he was able to warn the twenty men under his command to get back before the device exploded. Lt. Theinert was the only soldier killed in the incident, and his final heroic and selfless act fulfilled the responsibility of an officer to keep his men safe and in the fight.

I offer my deepest condolences to Lt. Theinert's mother and stepfather, Chrystyna and Frank Kestler of Mattituck and Shelter Island; and to his father and stepmother, James and Cathy Theinert of Sag Harbor. I also join

these closely-knit Peconic Bay communities in mourning the loss of a young citizen of enormous potential, and note with a heavy heart that two sons of the small village of Sag Harbor have made the supreme sacrifice since September 11th.

Madam Speaker, among Lt. Theinert's possessions, his family found a memory book entitled: "My Life by Joseph Theinert." I read the noble sentiments he inscribed on its inside cover into the RECORD of this House, in the hope that others may draw inspiration from them, as I have:

The years of our youth that we will never forget.

When life was simple and all we knew was love.

The people in this book is why I choose to fight.

It is for them that I am willing to lay down my life.

There is nothing glorious about war, but I will go to it to keep the people I love away from it.

9/11, Never Forget.

---

HONORING CF INDUSTRIES AND  
ITS PALMYRA TERMINAL EM-  
PLOYEES FOR REACHING AN IM-  
PRESSIVE SAFETY MILESTONE

---

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 9, 2010*

Mr. LUETKEMEYER. Madam Speaker, I rise today to recognize CF Industries and its Palmyra Terminal employees for reaching an impressive milestone: 15,000 consecutive safe days on the job. This is a proud achievement showing a commitment of the highest level of safety.

Employees at CF Industries' Palmyra Terminal receive ammonia by pipeline and by barge on the Mississippi River from the company's Donaldsonville nitrogen complex and ships ammonia to customers via truck. If not for the hard work of these individuals, agriculture in our area would certainly suffer. These individuals do their jobs well, and that shows through the safety they exhibit while on the job. It is with great pride that I can share this news of this achievement. The Palmyra employees have set the bar high for safety standards in their community and the 9th District of Missouri.

I am proud to represent this fine company and this terminal in Congress. Congratulations to every employee at the Palmyra Terminal on your outstanding safety record and commitment to excellence.

---

COMMEMORATING THE 150TH ANNI-  
VERSARY OF THE CITY OF  
MANISTIQUE, MICHIGAN

---

**HON. BART STUPAK**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 9, 2010*

Mr. STUPAK. Madam Speaker, I rise to recognize the city of Manistique, Michigan on its

150th anniversary. On June 19, 2010 the residents of Manistique will celebrate this sesquicentennial anniversary along with a color guard, presentations from local, state and federal officials and entertainment for all.

Located in Michigan's Upper Peninsula, where the waves of Lake Michigan meet the currents of the Manistique River, the city's history is one of commerce, ingenuity and immense pride. The small settlement on the Manistique River had no name until 1860 when Charles Harvey built a small dam on the river to power a sawmill. Initially named Epsport, after his wife's family name of Eps, the name was changed to Manistique in 1885. The name Manistique was adapted from a Native American word for vermilion, because of the reddish tint of the river's water.

Development of the area began in 1872 when Abijah Weston bought the Chicago Lumber company and brought it to Manistique. Manistique was ideally situated to take advantage of the timber industry boom from the 1880s through the 1920s. As a lumber transfer town, timber that was cut further north was sent down the Manistique River, sorted at Manistique and then sent by boats across Lake Michigan to towns for processing. The use of water transportation was vital for the survival of the community—until 1888 when the Soo Line Railroad began to serve the Manistique area, the only way to reach the city was over water.

As the timber industry declined, limestone production and the pulp and paper mill, along with tourism following World War II, became the area's major industries.

Still standing as a testament to the vibrant history of Manistique are the 200-foot brick water tower built in 1921–22 when the municipal water system was installed and "Siphon Bridge," an engineering marvel built in 1916 which allowed the Manistique Pulp and Paper Company to maintain the river's water level several feet above the bridge's roadbed to support a "floating bridge." The East Breakwater Light at the mouth of the river guided Lake Michigan vessels with its Fourth Order Fresnel Lens at the east end of the harbor beginning in 1917. More recently, a boardwalk nearly two miles long was constructed along the shoreline offering access to East Breakwater Light, picnic grounds, a fishing pier, and a wide variety of wildlife.

Today, Manistique provides residents and visitors alike with some of the best natural surroundings the Upper Peninsula has to offer. During summer months there is hiking in the Hiawatha National Forest, swimming in Lake Michigan and canoeing down the Manistique River. Winters bring up to 71 inches of snow for cross country skiers to glide through trails around Indian Lake and snowmobilers and sledders who want to try their hand at "Thunder Bowl."

Madam Speaker, Manistique is a city rich in history and natural beauty. From the humble beginnings of a small sawmill situated on the shores of Lake Michigan the city and its residents have grown and evolved into a premier destination in Michigan's Upper Peninsula. Madam Speaker, as residents celebrate this sesquicentennial milestone, I ask that you and the entire U.S. House of Representatives join me in honoring the city of Manistique on its 150th anniversary.