

the Purple Heart after the battle in which he was injured. He just never got to hold the actual awards in his hand. That is, until earlier this month.

But Black did not do what he did for the medals. He did what he did because he is a patriot, and he knew he was the only hope his fallen brothers may have had at those critical moments.

Black is quiet in demeanor, never boasting. But, his honor and integrity shows—in the way he holds his head high and the way he smiles. It is clear that he is a hero.

"I was just doing my job," he said.

After two years and nine months in Germany, Black was the only one in his unit who hadn't returned home for leave. Finally, he was granted a leave of absence and got the chance to come home to his beloved country and back to his sweetheart, Pauline. The two had been exchanging letters during the war. Pauline was anxiously awaiting the arrival of her soldier.

Black received word that the war had ended, just as his ship arrived in New York.

"They were unloading at the station when they started to say 'the war is over,' and I was very happy that day," he said.

Soon Black was back at home in Keavy, where he'd been raised. He was back with his family, back to his life. He returned to Pauline, and the two were married just a few days later.

"I had really missed him," said Pauline, "and I had really worried about him. It was good to have him home."

The two began building their house shortly after they were married. They still live in the home today. Black worked as a carpenter, and Pauline worked for the United States Postal Service. The couple had two children, Harold Gene and Sheila Kay. The Blacks will celebrate their 65th anniversary on May 19, 2010.

Morris Black continued to serve his community and country after returning home. He was one of the founding members of The Disabled American Veterans Chapter 158 in Keavy. The center now serves as a community gathering place.

"They hold family reunions and play ball at the field," said Black.

Black also worked as a volunteer firefighter. Pauline remembers her husband rushing off at all hours to fight fires.

"He would be working on something and when a call came in, he was out the door," she said.

"There was about three or four of us who got together and decided we needed a fire department. So we started one," said Black.

The Keavy Volunteer Fire Department is thriving and continues to serve the community. Black is proud of all he has done, and very grateful that he has been able to serve. He is most grateful, he said, for his family.

"It feels good to have my wife and children, and grandchildren and great-grandchildren. That's what really makes me proud."

Morris and Pauline live each day as it comes, and they thank God for every day they have together.

"There are times when I didn't know whether I'd make it home or not, but I did. There is no greater honor than to fight for your country. And there's nothing like the feeling of having people who love you," said Black.

After a lifetime of service, Black has every right to brag, but that is not his style. As he holds his Silver Star in his hands, he looks at it with pride, and he does appreciate it. But the real satisfaction for a soldier is much bigger than an award. Black remembers each one of the soldiers he stopped to help that day in Germany, and thinks of the ones who didn't make it home. His gratitude

is to those who fought before and with him, and for those who continue to fight.

#### REMEMBERING DOROTHY HEIGHT

Mr. MENENDEZ. Mr. President, I would like to take a moment to recognize the life of women and civil rights pioneer Dorothy Height, a woman who helped pave the way for an African American to be elected President of the United States, a Latino son of immigrants to represent New Jersey in the U.S. Senate, and brilliant Jewish and Latina women to preside in the U.S. Supreme Court.

Dorothy Height first immersed herself in the civil rights movement in 1933 when she became a leader of the United Christian Youth Movement of North America. It was her dedication to ending the horror of lynching, reforming the criminal justice system, and securing free access to public accommodations that made her an American hero and the obvious choice to serve as a representative of the YWCA to the World Conference of Christian Youth.

While serving as the assistant executive director of the Harlem YWCA, Ms. Height met Mary McLeod Bethune, founder and president of the National Council of Negro Women. Recognizing the promise and potential in Ms. Height, Bethune invited her to join the NCNW in her mission to secure equal rights for women.

Throughout her countless years of leadership with the YWCA, the National Council of Negro Women, and Delta Sigma Theta Sorority Incorporated, Ms. Height inspired a generation of future leaders. During those days of racism, intolerance, and hatred, it was extremely difficult for a woman, an African-American woman, to advocate for civil rights. Imagine how frightening it must have been to stand up to oppression, intolerance, and injustice that often ended in violence against those who simply came in peace seeking to be treated equally and fairly. A fearless leader, Ms. Height took the chance she knew she had to take because as she plainly stated, "we all have to do whatever we can."

It was that simple philosophy that motivated her to accomplish many achievements through her leadership with the YWCA, NCNW, and Delta Sigma Theta Sorority. Her contributions are endless, and as a testament to her accomplishments, Ms. Height was awarded the Presidential Medal of Freedom in 1994 and the Congressional Gold Medal in 2004.

Dorothy Height's commitment to ensuring equality for all is her legacy and our hope.

Heralded as a civil rights leader, Ms. Height was the only woman at the highest level of the civil rights movement to march alongside revered leaders such as Dr. Martin Luther King, Jr., Whitney H. Young, A. Phillip Randolph, and John Lewis, just to name a few. During the height of the civil

rights era, she organized the "Wednesdays in Mississippi" event, which brought together African-American and Caucasian women from different walks of life to create a discourse of understanding. Respected as a national leader, Ms. Height played a pivotal role in several Presidential committees, including the President's Committee on the Employment of the Handicapped and the President's Committee on the Status of Women.

Her life's work helped to bring our Nation out from the shadow of segregation to a place where we are moving closer to true racial, ethnic, and gender equality. While we have made great strides toward obtaining equality, there is still much work left to be done. At the age of 98, Dorothy Height continued to play a role in addressing the social inequities some Americans face, as evidenced by her position of chairperson of the Leadership Conference on Civil Rights. She once stated, "I want to be remembered as someone who used herself and anything she could touch to work for justice and freedom . . . I want to be remembered as one who tried." Ms. Height will not only be remembered as one who tried but also as one who achieved, one who inspired, and one who has left a footprint in this world. We can honor her legacy by doing our part and trying to make this society better than the one she lived in by finally achieving equality for all.

#### ENUMERATED POWERS ACT

Mr. ENZI. Mr. President, I rise today to discuss the need to closely examine our United States Constitution and Congress's limits held within this important document. Our Founding Fathers granted Congress limited powers within the Constitution, and we should not stray outside those powers. They knew what would happen if a government grew too large and too controlling. So far during the 111th Congress, the government has taken over banks, insurance companies, the student loan industry and the automobile industry. The American people know this is wrong and they have spoken out. During the Wyoming State legislative session, which concluded on March 5, two resolutions were passed because the Federal Government continues to overstep its bounds. These two resolutions, House Enrolled Joint Resolution 2 and House Enrolled Joint Resolution 3, demand that Congress desist from making mandates beyond the enumerated powers of the United States Constitution.

In the U.S. Senate, I am working to pass S. 1319, The Enumerated Powers Act, to achieve what the Wyoming State Legislature passed and signed into law on the State level earlier this year. The Enumerated Powers Act would require that every bill introduced in Congress include a constitutionality clause pointing to the exact section in the Constitution that grants

Congress the right to make that specific law. I am proud to be an original cosponsor of this piece of legislation which was introduced by Senator COBURN.

We must learn from our constituents and fellow lawmakers. Our Constitution has held our country together for hundreds of years and this is no time to abandon it.

I ask unanimous consent to have these two resolutions printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### ENROLLED JOINT RESOLUTION NO. 2

Whereas, the Tenth Amendment to the Constitution of the United States reads as follows: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

Whereas, the Tenth Amendment defines the total scope of federal power as being that specifically granted by the Constitution of the United States and no more; and

Whereas, the scope of power defined by the Tenth Amendment means that the federal government was created by the states specifically to be an agent of the states; and

Whereas, the states are demonstrably treated as agents of the federal government; and

Whereas, many federal laws are directly in violation of the Tenth Amendment to the Constitution of the United States; and

Whereas, the Tenth Amendment assures that we, the people of the United States of America and each sovereign state in the union of states, now have, and have always had, rights the federal government may not usurp; and

Whereas, Section 4, Article IV, of the Constitution says, "The United States shall guarantee to every State in this Union a Republican Form of Government," and the Ninth Amendment states that "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people"; and

Whereas, Congress may not simply commandeer the legislative and regulatory processes of the states; and

Whereas, the United States Congress frequently considers and enacts laws, and the executive agencies of the federal government frequently promulgate regulations, the constitutional authority for which is either absent or tenuous, including, without limitation, the Real ID Act, which imposes significant unfunded mandates upon the states with respect to the traditional state function of drivers licensing, the Endangered Species Act, which, as construed by the United States Fish & Wildlife Service, authorizes a federal executive agency to require specific state legislation related to the traditional state function of wildlife management, the Clean Water Act, which, as construed by the Environmental Protection Agency, authorizes a federal executive agency to exercise regulatory jurisdiction over waters that are not subject to federal regulation, the Federal Land Policy and Management Act, which implements a policy of federal lands retention in derogation of the "equal footing" doctrine. Now, therefore, be it

*Resolved by the members of the Legislature of the State of Wyoming:*

Section 1. That the State of Wyoming Legislature claims sovereignty on behalf of the State of Wyoming and for its citizens under the Tenth Amendment to the Constitution of

the United States over all powers not otherwise enumerated and granted to the federal government or reserved to the people by the Constitution of the United States.

Section 2. That the rights and liberties of Wyoming, its costates and their respective citizens must be protected from any dangers by declaring that Congress is limited by the Tenth Amendment to the Constitution of the United States and that this state calls on its costates for an expression of their sentiments on acts not authorized by the United States Constitution.

Section 3. That this resolution serve as notice and demand to the federal government, as our agent, to cease and desist, effective immediately, from enacting mandates that are beyond the scope of these constitutionally delegated powers. The State of Wyoming will not enforce such mandates.

Section 4. That all compulsory federal legislation that directs states to comply under threat of civil or criminal penalties or sanctions be prohibited or repealed.

Section 5. That the Secretary of State of Wyoming transmit copies of this resolution to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress and to the Wyoming Congressional Delegation, with a request that this resolution be officially entered in the congressional record as a memorial to the Congress of the United States of America.

COLIN M. SIMPSON,

*Speaker of the House.*

DAVE FREUDENTHAL,

*Governor.*

JOHN J. HINES,

*President of the Senate.*

Time Approved: 3:48 p.m.

Date Approved: 3/8/10.

I hereby certify that this act originated in the House.

PATRICIA L. BUSH,

*Chief Clerk.*

#### ENROLLED JOINT RESOLUTION NO. 3

Whereas, the tenth amendment to the Constitution of the United States reads as follows: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

Whereas, the tenth amendment to the Constitution of the United States defines the total scope of federal power as being that specifically granted by the Constitution of the United States and no more; and

Whereas, the scope of the power defined by the tenth amendment to the Constitution of the United States means that the federal government was created by the states specifically to be an agent of the states; and

Whereas, the states are demonstrably treated as agents of the federal government; and

Whereas, many powers assumed by the federal government and federal mandates are directly in violation of the tenth amendment to the United States Constitution; and

Whereas, the interstate commerce clause in article 1, section 8 of the Constitution of the United States provides that Congress shall have the power: "To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes;" and

Whereas, the interstate commerce clause is limited to the federal government regulating trade between the states and between the states and other nations, to help prevent conflicts between states over commercial activities and to prevent the erection of barriers to commerce between the states; and

Whereas, the interstate commerce clause should not be used to provide Congress with

authority to regulate matters that are primarily intrastate with only an insignificant or collateral effect upon interstate commerce; and

Whereas, many federal laws are beyond the scope and intent of the interstate commerce clause and the tenth amendment to the Constitution of the United States; and

Whereas, the tenth amendment to the Constitution of the United States assures that we, the people of the United States of America and each sovereign state in the union of states, now have, and have always had, rights the federal government may not usurp; and

Whereas, article 4, section 4, of the Constitution of the United States says: "The United States shall guarantee to every State in this Union a Republican Form of Government," and the ninth amendment to the Constitution of the United States adds "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retain by the people."; and

Whereas, Congress may not simply commandeer the legislative and regulatory processes of the states. Now, therefore, be it

*Resolved by the members of the legislature of the State of Wyoming:*

Section 1. That the Wyoming Congressional delegation and Congress take action to initiate the amendment process provided by article 5 of the Constitution of the United States to amend the tenth amendment and article 1, section 8 (the interstate commerce clause), of the Constitution of the United States.

Section 2. That Congress amend the tenth amendment of the Constitution of the United States as follows, with proposed changes indicated in underscored text:

The powers not *expressly* delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. *This amendment shall be considered by all courts as a rule of interpretation and construction in any case involving an interpretation of any constitutional power claimed by the Congress.*

Section 3. That Congress amend the interstate commerce clause, article 1 section 8, of the Constitution of the United States as follows, with proposed changes indicated in underscored text:

To *directly* regulate Commerce with foreign nations, and among the several states, and with the Indian Tribes, *with no authority in Congress to regulate matters that are primarily intrastate with only an insignificant or collateral effect upon interstate commerce;*

Section 4. That Congress shall specify that the amendments to the tenth amendment and the interstate commerce clause, article 1 section 8, of the Constitution of the United States, as provided herein, shall be operative upon ratification by the legislatures of three-fourths of the several states, provided that such ratification shall occur within seven years from the date of the submission of the amendments to the states by Congress.

Section 5. That this state calls on its costates for an expression of their sentiments on the need to amend the tenth amendment and article 1, section 8 of the Constitution of the United States as provided in this resolution.

Section 6.

(a) That the Secretary of State of Wyoming transmit copies of this resolution:

(i) To the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress and to the Wyoming Congressional Delegation, with a request that the Wyoming Congressional Delegation take all reasonable and necessary actions to initiate the amendment process to

amend the Constitution of the United States consistent with the language proposed in this resolution and that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America; and

(ii) To the Speaker of the House of Representatives and President of the Senate, or their equivalent, and the governor of each of the other forty-nine states.

COLIN M. SIMPSON,  
*Speaker of the House.*

DAVE FREUDENTHAL,  
*Governor.*

JOHN J. HINES,  
*President of the Senate.*

Time Approved: 1:53 p.m.

Date Approved: 3/11/10.

I hereby certify that this act originated in the House.

PATRICIA L. BUSH,  
*Chief Clerk.*

### QUEST FOR MODERNITY

Mr. INHOFE. Mr. President, as the co-chairman of the U.S. Senate Taiwan Caucus, I ask for unanimous consent to have printed in the RECORD the speech of Taiwan President Ma Ying-jeou, delivered, via video conference, before the faculty and students at the Fairbank Center for Chinese Studies at Harvard University.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### THE QUEST FOR MODERNITY

(Speech by Ma Ying-jeou, President, Republic of China at Fairbank Center, Harvard University, Apr. 6, 2010)

President Ma Ying-jeou took part this morning in a video conference with the Fairbank Center for Chinese Studies at Harvard University. The conference was moderated by Dr. William Kirby, Director of the Fairbank Center. Harvard University president Drew G. Faust opened the conference with a videotaped talk in which she welcomed President Ma to the video conference. After the moderator's opening remarks, President Ma followed with a speech entitled "The Quest for Modernity." Thereafter, professors Steven M. Goldstein, David Der-Wei Wang, William P. Alford each posed a few questions to the president. This was followed by a Q&A session in which the president fielded questions from members of the audience. As the conference was drawing to a close, President Ma gave a short closing statement.

Prof. Kirby, Prof. Goldstein, Prof. Alford, Prof. Wang, Prof. Su Chi, Ambassador Yuan, Director General Hung, Dear faculty members, students, distinguished guests, ladies and gentlemen: Good Evening!

#### I. NOSTALGIA ABOUT HARVARD

It heartens me to be once again addressing the excellent faculty and student body of Harvard University. This moment brings back a rush of nostalgia because it was here I became a proud father for the first time before I even got my doctoral degree. It was also at Harvard when I was cloistered for long hours in the Law School Library, or debating with fellow classmates and professors, that I was able to broaden my understanding of the world, and hone my skills as a scholar, intellectual and eventually a leader. I also feel nostalgic on a deeper level. When I think of a long litany of historic events, figures, and institutions: John Hay's Open-Door Policy, Boxer Rebellion, American Indemnity

Scholarships for China with all its recipients, like Hu Shih and Chien Shih-Liang, Tsinghua University, Yenching University, May Fourth Movement, Flying Tigers, Pearl Harbor, John Leighton Stuart, 1949, Korean War, United States-Republic of China Mutual Defense Treaty, Fairbank Center, the Quemoy and Matsu Crisis, Cultural Revolution, Shanghai Communiqué, Taiwan Relations Act, mainland China's Reform and Open Policy, U.S. arms sales to Taiwan and so on, I cannot help but think of the far-reaching impact that America has had on China's, and later on Taiwan's, convoluted path to modernization. I cannot help but think my time at Harvard was not only a personal academic journey, but also a microcosm reflecting a people's long search for a modern nation.

#### II. WEALTH, POWER AND DEMOCRACY

The late venerable Benjamin Schwartz, who as you know had been a prominent member of the Fairbank Center, described in the life of Yen Fu that the evolution of modern China has been a journey in search of wealth and power. Given the rise of mainland China's economic power and military strength over the last thirty years, it seems that it has achieved those goals to a considerable degree. However, I believe a society that is truly modernizing should not be limited to wealth and power but must also include the foundations for freedom and democracy. For it is only through the active participation and free choice of one's citizens that government truly serves the welfare of the people; only then can a government sustain, and a nation thrive. So I am proud to say that the Republic of China on Taiwan has in fact achieved all these three pillars. The ROC has since become a thriving nation with a robust economy, viable military and a truly open and vibrant democracy. With so much already achieved the roadmap of my administration is quite straightforward: namely to strengthen the foundation of these three pillars so as to safeguard the future of Taiwan's posterity, and to share with mainland China our values and way of life.

#### III. COMING OUT OF RECESSION

My administration came into office two years ago in the midst of a global economic crisis, so it's not an exaggeration that we definitely "hit the ground running." Since then we have worked relentlessly to revitalize Taiwan's economy. By taking measures such as guaranteeing 100% bank deposits, substantially lowering interest rate in seven instances, investing 16 billion US dollars in domestic infrastructure in 5 years, distributing 2.7 billion US dollars worth of shopping vouchers, and providing emergency assistance for the underprivileged, my administration has successfully brought the economy out of the downturn after a year and a half. Now we expect to create about a quarter of a million jobs to bring the unemployment rate below 5% and GDP growth up to 4.72% this year. Job creation will remain our top priority, especially those in the green energy sector. With carbon reduction in mind, we are now ambitiously promoting innovation across all of Taiwan's most competitive sectors. These include the country's traditional strongholds such as IT, agriculture, and healthcare as well as other emerging industries like green energy, biotech, tourism and the cultural creative industries. However, the growing trend towards regional integration among economic powerhouses in East Asia, like Japan, mainland China, South Korea and the ASEAN countries, is threatening to marginalize Taiwan's heavily export-driven economy. As such, my administration has been seeking to institutionalize economic relations with

mainland China and diversify our export markets and products so that Taiwan will not only avoid being cut off from the global economy but also enhance its international competitiveness. Therefore, we have been pushing hard for an Economic Cooperation Framework Agreement (ECFA) with the mainland that will serve as a critical structural platform for economic interaction between the two sides. On top of intellectual property rights protection and investment guarantee, the framework will include an early harvest package of goods and services to enjoy zero custom tariffs. The negotiations are already underway and expect to conclude in the next few months. We have also established government programs that will cushion potential shocks to industries and workers, especially small- and medium-sized enterprises. Although some assert that signing the ECFA with mainland China will compromise our sovereignty, this is definitely not the case. The top priority of my administration has always been the principle of "putting Taiwan first for the benefit of the people." The truth of the matter, ECFA will spearhead Taiwan's return to the accelerated track for economic integration in Asia-Pacific and beyond. This without a doubt will strengthen Taiwan's capabilities to enhance its competitive edge in the global market and brighten its outlook for negotiating similar arrangements with other countries.

#### IV. CROSS-STRAIT RAPPROCHEMENT AND FLEXIBLE DIPLOMACY

In the pursuit of power my administration is not merely seeking military strength but more importantly to build up our soft power. In fact, the heart of my foreign policy is to reestablish mutual trust with all our major international partners, especially the United States. In achieving this goal, my administration has worked incessantly to transform the Taiwan Straits from a major flashpoint into a conduit for regional peace and prosperity. Therefore, in order to resume constructive dialogue with the mainland after a hiatus of over a decade, we first announced in 2008 the policy of "No Unification, No Independence, No Use of Force" so as to maintain the status quo across the Taiwan Strait under the framework of the Republic of China's 1946 Constitution. This breakthrough was further advanced under the framework of the 92 Consensus of "one China, respective interpretations" that was reached by the two sides in November 1992. That is now deemed a feasible formula by government leaders across the Taiwan Strait as well as many in the wider world community. We have also adopted a policy of Flexible Diplomacy and pursued a diplomatic truce with the mainland, which has by and large ended the vicious cycle of diplomatic warfare between the two sides. This will assuredly foster responsible stakeholdership in both Taiwan as well as the mainland. At the same time, we are working equally hard to enhance Taiwan's meaningful participation in and contribution to the international community. This will be achieved through our strong initiative to develop Taiwan's green technology and healthcare industries in conjunction with our foreign aid policies. For example, under the Flagship Program for Green Energy Industry, we will be building up Taiwan's industrial base in green technology especially in Photo voltaic solar cells and LED. This will not only benefit our people and economy, but more importantly, Taiwan will be able to share its resources and expertise with our allies and friends. On my visit to our Pacific island allies last month, I was proud to survey firsthand the work that Taiwan has done for some of the countries in the area. For example, Taiwan