

work over the past two decades exemplifies true professionalism. Mark has treated every legislative initiative equally, no matter if he was drafting a relatively small amendment or a major reauthorization proposal for the Elementary and Secondary Education Act, the Higher Education Act, or the Individuals with Disabilities Education Act. Senators and their staffs all knew that when one saw Marks legislative signature, "KOS," atop a document that the draft that had emerged from legislative counsel was in perfect technical shape and it was now up to us, as Members of the Senate, only to argue the draft's merits and relevance, not the format.

As a member of the Senate HELP Committee, I am proud and honored to say that we, both present and former committee members, have considered Mark our staff, even though he has never been on the HELP Committee's payroll. Mark has been one of our cornerstones because he has always treated every HELP member and staffer with the greatest respect. Additionally, Mark has demonstrated a rather large dose of patience in dealing with time constraints, deadlines, and all the various personalities that traverse the Halls of the Senate.

Although those of us who are members of the HELP Committee have consumed most of Marks time during his years as legislative counsel, Mark has always been of great assistance to every other Senate office that has needed aid in drafting education-related issues. All of us, Republican, Democrat, and Independent, have been lucky to have had Mark Koster on our side.

Mark, we thank you for your service and dedication. The HELP Committee will always consider you both an honorary member and a part of our family. We and the entire Federal education lawmaking process will miss you. May your next chapter in life be even more successful and more rewarding than the one that is coming to a conclusion. We wish you, your lovely wife, Kathy, and your two children the very best.

EDUCATION JOBS FUND

Mr. CORNYN. Madam President, as an elected representative of the great State of Texas, I swore a solemn oath to uphold and defend the Constitution. So it is a great disappointment to discover that some Members of the other body are attempting to undermine the separation of powers enshrined in our Constitution. I am speaking, of course, about the House-passed language that was included in Senate amendment No. 4575, which I opposed earlier today.

The language in the amendment unfairly requires the State of Texas to maintain fiscal year 2011 levels of State funding for elementary, secondary, and higher education spending for 2 additional fiscal years in order to receive a portion of the \$10 billion Education Jobs Fund. This places an undue

burden on a single State that is likely an unconstitutional condition on funding in violation of the Supreme Court's holding in *South Dakota v. Dole*.

Specifically, the language conditions Texas's receipt of Federal education dollars on an event that would violate the Texas Constitution. The Texas Governor cannot make the required assurances because the Texas legislature, not the Governor, decides how to spend the State's money. Any attempt by the Governor to bind the legislature's hands would be ineffective because that office lacks the power, and the mere attempt could violate the Texas Constitution. Nor can the Governor make an assurance regarding the actions of a future legislature, as the amendment requires. Such conditions, which cannot be lawfully met, can have no possible relation to the Federal interest in education spending.

According to the Congressional Research Service, the State's share of the \$10 billion is estimated to be over \$830 million. By ensuring that the State will not be able to access these funds, the Texas provisions effectively create a significant and substantial amount of discretionary funds available to the Secretary of Education. The practical effect of this petty, partisan gamesmanship will be to saddle future generations of Texans with a debt for which they are unlikely to receive any benefit.

This was a shameful, irresponsible exercise in raw political power. Texas students deserve more than to be political pawns. Forcing the legislature and Governor to choose between violating the Texas Constitution or accepting Federal dollars is an abuse of Federal power and is a clear threat to the separation of powers. A State's elected government should not be made subjects of political appointees and unelected bureaucrats at the Department of Education.

ADDITIONAL STATEMENTS

REMEMBERING BISHOP DR. JERRY LOUDER

• Mrs. BOXER. Mr. President, I am honored to recognize the career accomplishments and service of the late Bishop Dr. Jerry Louder—clergyman, educator, community leader, and author. Dr. Louder was born in Riverside in 1947 and remained dedicated to his community throughout his life. Dr. Louder passed away on July 2, 2010.

As a student at Pacific High School in San Bernardino, Jerry Louder excelled in academics and athletics. He advanced his education at the University of California, Riverside and earned a dual major bachelor's degree, a master's degree, and a doctorate. Dr. Louder later completed a second doctorate at Friends International Christian University and began his ministry in 1970.

Dr. Louder was an acknowledged leader among his ministerial peers. He

served as pastor of New Jerusalem Foursquare Church for 22 years and became founding pastor of New Jerusalem Christian Center. He was heavily active in a diversity of clergy groups in San Bernardino and Riverside counties, including the Riverside Clergy Association; the Riverside Area Pastors' Association; the Inland Area Ministers' Alliance; and the Riverside Interfaith Fellowship. He also served as president of the United States Pastors' Association, a communication network of nearly 100,000 pastors representing more than 40 denominations and independent churches.

Riverside mayor, Ron Loveridge, described Dr. Louder as a "community healer." In addition to helping forge stronger relations between the Riverside Police Department and the communities it serves, Dr. Louder also co-founded and served as executive director of the Opportunities Industrialization Center, which led to his founding the Riverside Opportunity Center to address the needs of the poor, homeless, and marginalized in his community. These and other similar efforts earned the recognition of many groups and organizations throughout his life, including being named a 2010 Alumnus of the Year by the Riverside Community College District.

I extend my heartfelt condolences to Dr. Louder's family, friends, colleagues, and all those whose lives were influenced by Dr. Louder's commitment, compassionate leadership, and personal and professional integrity. He will be truly missed.●

TRIBUTE TO ABRAHAM WEINRIB

• Mr. BROWN of Ohio. Mr. President, Columbus, OH, the State's capital city, is home to more than 710,000 Ohioans who trace their heritage from a mix of races, religions, and ethnicities. Many Columbus residents can trace their heritage back to Germany, Italy, and England. Neighborhoods like German Village, Italian Village and Victorian Village are examples of places these new Americans created in the early 20th century.

Recent waves of immigration have brought men and women from Somalia, Vietnam, and Mexico to the city and our State.

Throughout the demographic changes to Columbus, there remains one small community that continues to draw from the strength of their shared experiences.

Mr. President, 217 Holocaust survivors reside in the city of Columbus and its suburbs from Bexley to New Albany. Among the unforgettable stories told by these heroic men and women is 97-year-old Abraham Weinrib, of the Berwick neighborhood, southeast of Columbus.

Mr. Weinrib's journey from hardship to hope began in 1939 when he and his family were forced from their home in Lodz, Poland. After being forcefully removed from his home in Lodz, he fled

to Warsaw, Poland, where on September 6, 1939 at the age of 25 Mr. Weinrib was arrested by the Nazi's.

For the next 5½ years, he was sent to a total of nine concentration camps.

In Hanover, Germany, he was a slave laborer at the Continental rubber factory, where he made tires for Nazis to use against the Allied troops.

At Bergen-Belsen, he was forced to drag dead prisoners to a ditch to be buried in mass graves.

On April 14, 1945, Mr. Weinrib, weak with typhus, fell asleep on top of one of these mass graves. That night, he woke up from the open grave and stumbled into nearby barracks. There he found English troops liberating the camp.

Unfortunately, Mr. Weinrib's parents, two older brothers, and most of his extended family were among the more than 6 million Jews who perished during the war.

Mr. Weinrib spent the next year in a Swedish hospital recovering from years of starvation, beatings, and a gunshot to his forehead.

After regaining his strength, Mr. Weinrib began to attend events through a Holocaust survivor's club in Sweden. There he met a young woman named Anna who was freed from Auschwitz in 1945. Together, they spent more than a year recovering in the hospital and several more years recovering at home in Sweden. By 1950, Anna and Abraham Weinrib married and had their first child, Ruth, in 1952.

In 1954, after living with his sister Hela who also survived the war Mr. and Mrs. Weinrib left Stockholm and moved to Columbus where Mr. Weinrib's brother's Morru and Chaim lived. In Columbus, Mr. Weinrib was hired by Sam Melton to work at a Capitol Supply factory. Mr. Weinrib quickly rose through the ranks from line-worker to manager. Meanwhile, Mr. and Mrs. Weinrib raised three children, sending them to school and working hard to ensure they had every opportunity that was robbed from their own youth.

Prior to Anna's passing in 1979, Mr. Weinrib rarely spoke of his experiences during the war. But since then, he uses his own experience to ensure that future generations never forget the tragedy of the Holocaust.

Abraham Weinrib has become a fixture at the Jewish Community Center in Columbus and frequently speaks to students throughout the community. At one recent speaking engagement, a student asked Mr. Weinrib what his experiences during the Holocaust can teach younger generations. Without hesitation, he responded with his thick Polish accent, that "life is short; you have to be nice to each other."

Then, Mr. Weinrib referred to a heartbreaking experience he remembers during his time at Auschwitz. The Nazi's were separating prisoners into two lines, those who were old enough and healthy enough to work, and those who were not. One young mother was unwilling to be separated from her

young daughter. Both were sent to the crematorium.

Abraham Weinrib has seen firsthand what intolerance, prejudice, and hate can do to undermine our basic humanity. He talks about how unfair and challenging life can be but does not attribute his survival or the survival of three of his siblings to any sort of miracle. Instead, he attributes his survival to the ability to persevere.

His own children have also used the strength of their father to succeed. The three Weinrib children—Bruce, Ruth, and Irene—overcame many of the hardships often faced by first-generation children: parents with a limited understanding of English, low paying jobs, and the feeling of being an outsider. By any measure, all three children have succeeded. Ruth and Bruce are both graduates of the Ohio State University. All three children have postsecondary degrees, and all have made Abe a proud grandfather of seven grandchildren.

The impact Abraham Weinrib has had on his family and community is clear and the message he shares is powerful. Elie Wiesel said "Not to transmit an experience is to betray it." Abraham Weinrib is helping to ensure that generations to come will learn his enduring lessons.

Thank you, Abraham Weinrib, for all that you do to make our State and Nation live up to our highest ideals.●

TRIBUTE TO JIM WEATHERLY

● Mr. COCHRAN. Mr. President, I am pleased to commend Jim Weatherly of Pontotoc, MS, for his contribution to American music through prolific song writing and the attention that he has brought to the many talented artists in my home State of Mississippi.

This weekend, Pontotoc County will celebrate Jim Weatherly's accomplishments at its annual Bodock Festival. Governor Haley Barbour has designated a "Jim Weatherly Day" as part of the festival. I believe this is a fitting tribute to a man who is a source of pride for many in Mississippi.

Jim Weatherly has not only excelled in the arts; he has also excelled both academically and athletically. While I was a law school student at the University of Mississippi, Weatherly was a member of the Ole Miss football team. As quarterback, Weatherly led the Ole Miss Rebels to an unbeaten and untied season, resulting in a national championship in 1962 and Southeastern Conference Championships in 1962 and 1963. As a star quarterback at my alma mater, Weatherly earned three letters and was honored as a member of the All Southeastern Conference team in 1964.

Jim Weatherly first started writing songs around the age of 12. He moved to Los Angeles, CA, in 1966 to pursue a career in the music industry. Weatherly has written pop, R&B, country, gospel and jazz songs, some of which have become classics. Weatherly has authored numerous hits for artists

such as Gladys Knight and the Pips, Dean Martin, Kenny Rogers, Reba McEntire, Kenny Chesney, Hall & Oates and The Temptations. Some of his well-known hits include "Midnight Train to Georgia," "Love Finds Its Own Way" and "Where Peaceful Waters Flow." He was nominated for a Grammy in the R&B Songwriter of the Year category and helped win numerous Grammys and awards for other artists. He has released seven albums, including a Christmas album that he wrote and recorded.

The American Society of Publishers, Authors, and Composers named Weatherly Country Songwriter of the Year in 1974. Weatherly is also a member of the Nashville Songwriters Hall of Fame and the Mississippi Musicians Hall of Fame.

Weatherly's "Midnight Train to Georgia" was inducted into the Grammy Hall of Fame in 1999. In 2001, The National Endowment for the Arts and the Recording Industry Association of America ranked this song 28th among 365 Songs of the Century.

Since moving back to the Southeast, Weatherly has continued to write, publish and record songs. Weatherly recently cowrote an album with Vince Gill that sold over 5 million copies, and he continues to have No. 1 country hits on the charts.

I congratulate Mr. Weatherly on being honored by his hometown of Pontotoc, MS, and on his long, illustrious career. I wish him the best in his future endeavors.●

TRIBUTE TO MICHEL BAIK

● Mr. DODD. Mr. President, it is with a heavy heart that today I pay tribute to fire fighter Michel Baik, who sadly lost his life on July 24, 2010.

A lifelong resident of Bridgeport, Michel graduated from Central High School, where he played football. Throughout his life, he remained engaged in sports playing softball and basketball and was also an active member of the St. Nicholas Antiochian Orthodox Church congregation.

He was well known as a loving husband and father who was very engaged in the lives of his children, Andrew, Thomas, and Margaret. He coached Junior Varsity basketball, volunteered with the Boy Scouts, and was a constant presence at their various school plays, sports events, and dance recitals.

For many years, Michel worked for companies like Norelco and Alcon Data, as well as at the Connecticut Post newspaper as distribution manager. He also helped teach computer skills to the unemployed as an instructor at a nonprofit workforce development organization called Career Resources.

Then, in 2007, he decided to take on a new challenge. He trained hard, studied hard, and ultimately became—at the age of 47—the oldest "probey," or rookie, member of the Bridgeport Fire Department. It was a job he loved, and he