

possesses a keen legal mind and a passion for teaching. He has taught many classes ranging from Medieval European History to Duty and Fairness in Corporate Law at many esteemed schools, including Yale University, the University of Michigan, and Rutgers-Camden Law. This spring, he was selected by this year's Rutgers-Camden graduating class as the 2011 "Professor of the Year." As part of this honor, Professor Beckerman delivered the Class Day Speech to the Rutgers School of Law-Camden class of 2011 on May 18, 2011. It is my privilege to read his remarks into the RECORD:

Honored Guests, Dear Friends, There are a lot of lawyers in our country—something approaching one million two hundred thousand—and despite all who leave the profession every year, loud voices constantly tell us that there are too many lawyers, too much law, too much regulation; that we need fewer lawyers, less law, and especially less regulation.

Not everyone in the audience will agree with me, and that's fine, but I have a different message for you. Quite apart from the ongoing debate about the proper size and scope of government, never have we needed capable and courageous lawyers more than we need you now. Never has our society needed your knowledge; your skills; your policy expertise; your problem solving ability; your good judgment; your sensitivity to the plight of ordinary people, to say nothing of the poor, disadvantaged and oppressed, more than we need it today.

History shows that lawyers and legal doctrine always have served those of wealth and privilege. It is no coincidence that property law in Anglo-American jurisprudence largely developed in its main outlines before the laws of crime, torts, and contract. Because wealthy and powerful persons and entities can better afford lawyers than can the rest of us, they not only hire lawyers more easily, but also elect legislators, influence who become judges, and exert disproportionate influence on both the law enacted by legislatures and doctrine declared by courts.

What difference does this make today? The past thirty years have seen the greatest concentration of wealth upwards ever in the history of our republic. The effects of these economic changes on the law and politics are not surprising, but are cause for enormous concern. As Jay Feinman has demonstrated (*UN-MAKING LAW: THE CONSERVATIVE CAMPAIGN TO ROLL BACK THE COMMON LAW*, Boston, 2004), there has been a movement in legislatures and courts to reduce the legal protections available to ordinary people and to increase the legal benefits our government gives to corporations and individuals of wealth and power.

It's no secret that the General Electric Company paid no federal income taxes in 2010 despite making more than \$5 billion in profits, that the government gives \$4 billion of tax subsidies every year to the oil industry despite the huge profits they are making as gas prices top \$4 per gallon, and that billionaires who have died since the beginning of 2010 paid no federal estate taxes. You don't need me to tell you what's wrong with this picture. We need lawyers and legislators with vision and courage to correct these distributional inequities currently enshrined in law.

Consistent with the trend of reducing protections for ordinary people, in the past month and a half, the conservative majority on the Supreme Court issued two decisions that I find very disturbing. In one (*AT&T Mobility, LLC v. Concepcion*, No. 09-903, April 27, 2011), they held that the Federal Arbitration Act preempts efforts of state

courts to limit contractual arbitration clauses that they deem unfair to consumers. As soon as corporations insert into every contract an arbitration clause limiting your right to sue and waiving your right to represent others, this decision will effectively end all consumer and employment class action lawsuits throughout the United States, as well as their disciplining effects on corporate behavior.

In another case (*Connick v. Thompson*, No. 09-571, March 29, 2011), the majority expanded the doctrine of municipal immunity to overturn a damage award won by a man who served eighteen years on death row in Louisiana for crimes he did not commit as a result of the district attorney's deliberately withholding from the defense the exculpatory evidence that eventually exonerated him, in flagrant violation of well-settled constitutional law. And a year ago, in *Citizens United v. Federal Election Commission*, 558 U.S. 50 (2010), the same majority held that corporations have the same First Amendment rights as people, thus effectively eviscerating most legislative efforts to limit the corrosive effects of money on politics. Do we need educated, proficient and courageous lawyers to restore balance to the law in these areas? Of course we do.

But those aren't the only reasons we need you so badly. The same interests that tell us there are too many lawyers continue to try to cripple protection of the environment from greenhouse gases, to limit protection of the oceans from oil well blowouts such as BP's Deepwater Horizon catastrophe, to hinder protection of the drinking water supply in Pennsylvania and New York from the carcinogenic effects of hydraulic fracking chemicals used to extract natural gas, to reduce protection of the nation's food supply and pharmaceuticals, to obstruct protection of the capital markets and investors from the same excesses of Wall Street and the banking industry that melted down our financial system in 2008 and gave us the Great Recession; to end protection of severely injured victims of medical negligence and abuse by physicians and hospitals in the guise of tort reform, and to vilify public employees including policemen, firemen and teachers and abolish their collective bargaining rights.

We know from sad experience that free markets don't regulate themselves, that the environment and the public health don't protect themselves, that trickle-down economics doesn't work, and that tax cuts don't pay for themselves. But we need lawyers to translate that experience into law if the public is to be protected from the worst excesses of free market capitalism and corporate greed.

We need you for other compelling reasons also. In 2009, over 6,600 hate crimes were reported in the United States, almost half against victims targeted because of their race, the rest against victims targeted because of their religion, sexual orientation, ethnicity, national origin or disability. We need lawyers not only to prosecute the perpetrators, but also to dispel the dual curses of ignorance and intolerance that cause these crimes and to protect the civil rights of the persons who are their targets.

And throughout the world, peoples emerging from the yokes of tyrannical and dictatorial regimes need the assistance of lawyers to establish laws that will afford them the blessings of fair and peaceful democratic government.

My new lawyer colleagues, the challenges that await you are serious and daunting. Both American society and the world need you desperately. The faculty and staff of the law school and all who have supported you during your time here have the highest

hopes for each and every one of you. We offer you only one challenge as you graduate from Rutgers Law School. Make us all proud of you!

Thank you very much.

PERSONAL EXPLANATION

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Ms. ROYBAL-ALLARD. Mr. Speaker, I was unavoidably detained and was not present for rollcall votes numbered 417 and 418 on Tuesday, June 14, 2011. Had I been present, I would have voted "yea" on both rollcalls.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes:

Mr. GOODLATTE. Mr. Chair, I rise today in support of the gentleman's amendment to this legislation.

First, I want to be clear that I do believe that discrimination against many black farmers occurred. In 1997 a group of black farmers who had been discriminated against filed a case against USDA. By 1999 the courts agreed and approved a settlement for the farmers who had been discriminated against and provided a framework and time frames to settle the claims. Included in this settlement, the court provided a time frame for new claimants to have their cases heard. Anyone who had a claim was given the opportunity to come forward during this court approved window.

Despite this framework, we are still allowing additional payments to others, who had an earlier opportunity to file claims but did not. What is most disturbing is that approximately 94,000 total claims have been filed, yet census data shows that there were only 33,000 black farmers in the U.S. during the relevant time period. Furthermore, whistleblowers have come forward, including a black farmer, alleging widespread fraud in this process. These serious allegations of fraud should be investigated before we spend potentially \$1.2 billion on these claims, especially when the standard of proof for these claims is reduced under this settlement compared to what it would have been in a court.

I believe that we must investigate any allegations of fraud that are occurring before this Congress allows any more funds to be used for the settlement. Just as it would be an injustice to not grant relief to black farmers who had been discriminated against, it would also

be an injustice to grant an award to an individual who had not been discriminated against.

COMMEMORATING CHALLENGE DAIRY PRODUCTS 100TH ANNIVERSARY

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. NUNES. Mr. Speaker, I rise today to extend my congratulations to Challenge Dairy Products as they celebrate their 100th anniversary. Challenge first opened with 4 employees, a wagon and a rented horse that traveled from the San Joaquin Valley to Los Angeles. Today, Challenge Dairy Products has grown into a cooperative association representing 450 California family-owned dairies that markets and distributes dairy products globally.

Challenge has become the largest butter brand in the West and is the leading dairy foodservice provider in California with eight distribution centers spanning from Lodi to San Diego. Challenge's successes are evidence of the many dedicated California dairy farmers and employees who have ensured the quality of all dairy products they produce.

From the very beginning J.P. Murphy, the first President of then-named Challenge Cream and Butter Association, recognized the importance of quality when he built the Challenge brand's reputation. With skilled marketing, word spread about the quality of Challenge Cream and Butter until they were the best known brand in the West. In an ongoing effort to improve butter quality, Challenge's engineers developed novel methods for butter processing and shipment, effectively replacing wooden churns and containers with aluminum.

Today, Challenge Dairy Products is a wholly owned subsidiary of California Dairies, Inc., CDI, and markets nearly half of CDI's butter supply. As California's largest dairy provider, CDI has six manufacturing facilities that are located throughout the central valley and directly employs over 740 people. The 450 dairy farmer members produce 17 billion pounds of milk annually, allowing CDI to market high quality dairy products in all 50 states and 52 foreign countries.

Challenge has provided generations of families with quality dairy products and has been instrumental in making California the top dairy state in the Nation. I applaud Challenge Dairy Products, their dairy farmers and employees for their hard work and dedication, and I congratulate them on their 100th anniversary.

PERSONAL EXPLANATION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. BLUMENAUER. Mr. Speaker, I wish to correct a vote that I made in the amendment series of H.R. 2112. During the roll call votes, I voted "no" on the Campbell amendment to prohibit funding from the Animal, Plant and Health Inspection Service account for being used for the purpose of destroying wild ani-

mals in order to protect livestock. I intended to support the amendment, as I firmly believe that the federal government should not support cruel, drastic measures of animal destruction. My record is strongly supportive of these types of provisions, and I regret that I missed another opportunity to state my strong disapproval to many of the trapping and poisoning methods employed in the destruction of wildlife.

I wish to clearly state for the record that I supported the Campbell-DeFazio amendment and did not intend to vote against it.

CONGRATULATING TIM THOMAS ON WINNING NHL'S MOST VALUABLE PLAYER AWARD

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. KILDEE. Mr. Speaker, I rise today to congratulate Stanley Cup winner, playoff MVP, Flint Native and Davison High School graduate Tim Thomas.

Tim's road to the championship is a tale of perseverance and staying true to your dreams. Tim was born in my hometown of Flint, Michigan, graduating from high school in nearby Davison. From an early age, he dreamed of playing in the NHL as a goalie. His family was so supportive of his dreams, that his parents sold their wedding rings in order to pay for him to go to hockey camp.

During his four years of college hockey at the University of Vermont, he was the 217th player drafted in 1994 and turned down an offer to play for the NHL's Quebec Nordiques. After graduation, he spent nine years playing for minor league teams in the United States, and for leagues in Canada and Finland. It seemed that his dream of playing in the NHL would not be realized.

But finally, after years of perseverance he finally got the call to the big leagues, becoming a full-time goalie for the Boston Bruins in 2005–2006 season. He continued his uphill battle to keep his place on the team, fighting through critics who wanted him traded and a hip injury that required surgery during the off season. But last night, he showed that all those years of hard work were worth it. Tim helped lead his team to playoff victory, blocking 37 shots to post his fourth shutout of the series. At the age of 37, Tim is only the fourth goalie in history to post a Game 7 shutout in the Stanley Cup finals.

Tim's story is an inspiration to everyone who has been told that they're not good enough and who have struggled to achieve success. He is proof that if you work hard, greatness can be achieved and that dreams do come true.

Mr. Speaker, I ask the House of Representatives to join me in congratulating Tim Thomas for helping to lead the Boston Bruins to the Stanley Cup victory and winning the title of Most Valuable Player in the NHL.

RECOGNIZING RIDE TO WORK DAY

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. BURGESS. Mr. Speaker, as Co-Chair of the Congressional Motorcycle Safety Caucus I rise to recognize Ride to Work Day.

Since 1992, this event has been organized by the Ride to Work organization and is intended to increase public awareness of motorcyclists; promote the use of bikes as consistent methods of transportation; and increase motorcycle safety.

This year, on June 20th more than a million riders will commute to work on their motorcycles and scooters. This annual event offers riders an opportunity to highlight motorcycles and scooters as viable, fun, and fuel-efficient modes of transportation.

In 2008, more than 25 million Americans operated a motorcycle at least once—and that number is expected to rise as more Americans recognize motorcycles and scooters as attractive commuting options. Motorcycles and scooters can save riders money at the fuel pump, and help to reduce our nation's dependence on foreign sources of oil, as motorcycles are considerably more fuel-efficient than most other vehicles.

As more Americans choose two wheels over four it becomes even more important to focus on motorcycle safety. As a doctor I know how important safety is when riding and sharing the roads. Riders and their machines are smaller and harder to spot—and given that motorcyclists make up a relatively small percentage of all road users, drivers often do not expect to encounter motorcycles. It is therefore important that we take every opportunity to remind all road users to be aware on Ride to Work Day and every day.

A TRIBUTE IN HONOR OF DORIS MOORAD NADDER

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Ms. ESHOO. Mr. Speaker, I rise today to honor a distinguished woman, Doris Moorad Nadder. A lifetime member of Illinois' Carter-Westminster United Presbyterian Church, an extraordinary wife, mother, grandmother, cousin and friend, Doris is beloved for her spirited community involvement.

A native of Chicago, Illinois, Doris Nadder attended Lake View High School and later Northwestern Business College and Jones Business School. In 1983, she joined Kraft Foods, and spent the next 15 years contributing her considerable energy and talents to the company, rising to become Account Executive for Major Accounts. In her spare time, she wrote a play about the food service business for which she won a Prestigious Achievement Award. That's just how Doris Nadder sees life . . . a wonderful stage on which so many people interact.

Apart from her professional career, Doris Nadder has devoted herself to her church community, serving as an Elder and Financial Secretary. She can always be found mingling