

Trumpet," his 1964 book about the Supreme Court decision in *Gideon v. Wainwright*. That landmark case affirmed a fundamental principle of our democratic society: that no person, regardless of economic status, should face prosecution without the assistance of a lawyer.

I have spoken countless times over the years about the importance of that decision. And each time, whether it was here on the floor of the Senate, in the Judiciary Committee questioning nominees to the Supreme Court, or in conversations with young law students, I have thought about "Gideon's Trumpet" and the powerful impact that book had on me.

In fact, on the 50th anniversary of the *Gideon* decision, which was just days before Mr. Lewis's death, I introduced the *Gideon's Promise Act*, a bill intended to breathe new life into that seminal case and ensure the fairness of our criminal justice system for all participants. Much of what I said about the anniversary of *Gideon*, and the work that remains, finds its roots in my days as a young attorney when I read "Gideon's Trumpet" and was moved both by the unfairness it revealed of a system that allowed poor people to be jailed without a lawyer, and the powerful equalizing impact a courageous Supreme Court can have when it is willing to stand up for those who are marginalized.

When I was a young law student, my wife and I had an opportunity to have lunch with Justice Hugo Black shortly after he wrote the majority decision in that case. It was a powerful experience. He recognized that the Sixth Amendment's guarantee to counsel in a criminal case was fundamental to a fair trial. He called it an obvious truth. And I know from my days as a prosecutor how right he was.

Now, as we pause to remember Anthony Lewis and his contributions to our understanding of the right to counsel and so many other fundamental principles of American democracy, it is also fitting that we acknowledge that the promise made in *Gideon* remains unfulfilled. In too many courtrooms it is better to be rich and guilty than poor and innocent. The rich will have competent counsel, but those who have little often find their lives placed in the hands of woefully overburdened public defenders or underpaid court-appointed lawyers who are inexperienced, overworked, inept, uninterested, or worse.

And now our Federal public defender system, long held out as the gold standard of indigent defense, is being hobbled by sequestration. In New York, the Federal Defenders Office is being forced to furlough each of its 30 lawyers for 5½ weeks by the end of September, resulting in delays in even the most significant terrorism cases. Chief Judge Loretta Preska of the Southern District of New York called these cuts "devastating." The head of the Federal Defenders Office stated: "On a good

day, we're stretched thin. . . . Sequestration takes us well beyond the breaking point. You simply can't sequester the Sixth Amendment." He is right.

I am hardly alone in my concern over this fundamental American right. Last month, four leading advocates for fairness in the criminal justice system, including former Vice President Walter Mondale, sent a letter to President Obama urging him to create a bipartisan commission on the fair administration of justice for the indigent accused. I applaud their efforts and I believe Anthony Lewis would have too.

Through his reporting on the Supreme Court and our Nation's civil rights challenges, Anthony Lewis opened the eyes of millions of Americans to the power of law and judges to change lives. He helped shape my thinking as a young lawyer, and I hope his work will continue to be an inspiration for the generations to come. Our democracy will be stronger for it.

I ask that a copy of an article dated April 8 be printed in the RECORD at the conclusion of my statement.

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

[From the New York Times, Apr. 8, 2013]

CITING CUTS, LAWYERS SEEK RELIEF IN  
TERRORISM CASE

(By Benjamin Weiser)

Federal public defenders who are representing a son-in-law of Osama bin Laden on terrorism charges urged a judge on Monday not to hold an early trial because automatic government budget cuts were requiring furloughs of lawyers in their office.

The request, which seemed to take the judge, Lewis A. Kaplan, by surprise, follows requests that five or six federal judges in Manhattan have received from public defenders to be relieved from cases in the wake of the automatic cuts, known as sequestration, said Loretta A. Preska, the chief judge of the Federal District Court in Manhattan.

"It's devastating," Judge Preska said late Monday. She praised the work of the federal defenders and said their replacement in cases with publicly paid court-appointed lawyers would probably lead to delays and higher costs.

Judge Kaplan said in court on Monday that he was considering holding the trial of bin Laden's son-in-law, Sulaiman Abu Ghaith—a onetime Al Qaeda spokesman charged with conspiring to kill Americans—in September. After the defense requested a later date, he said: "It's extremely troublesome to contemplate the possibility of a case of this nature being delayed because of sequestration. Let me say only that—stunning."

The judge did not set a trial date, saying he would consider the request, but the exchange shows how the forced budget cuts are beginning to have an effect on the administration of justice in federal courts in New York.

About 30 trial lawyers with the federal defenders office handle around 2,000 criminal cases a year in federal courts in Manhattan, Brooklyn and other locations, according to David E. Patton, who heads the office.

The forced cuts, he said, will mean each lawyer in the office will be furloughed for five and a half weeks through the end of September, when the fiscal year ends.

"On a good day, we're stretched thin," Mr. Patton said. "Sequestration takes us well beyond the breaking point. You simply can't sequester the Sixth Amendment."

"Investigations have to be conducted," Mr. Patton added. "Evidence must be reviewed. Law must be researched. Those things don't just happen by themselves."

In seeking the delay, lawyers for Mr. Abu Ghaith, who was arraigned in March, cited the need for overseas investigation, the translation of voluminous materials and other issues. "We would urge the court to find a later date," one lawyer, Martin Cohen, said.

Judge Preska said that lawyers had been allowed to leave one of the cases in which the furlough problem had been cited; the issue is pending in the others.

Newly appointed lawyers would have to "get up to speed" on their cases, and because they are paid by the hour (federal defenders are salaried), the public would probably end up paying more, Judge Preska said. "There's no resolution," she said. "Time is of the essence, and we're very, very concerned."

NATIONAL COALITION FOR THE  
HOMELESS 30TH ANNIVERSARY

Mr. CARDIN. Mr. President, I would like to recognize the National Coalition for the Homeless, an outstanding organization of activists, advocates, and community and faith-based service providers working to end homelessness in America. This year, the coalition celebrates its 30th anniversary, marking three decades of triumphs and challenges in defense of our Nation's most vulnerable individuals and families.

During the 1970s and 1980s, homelessness was thrust into the national spotlight as a growing problem. Structural changes in the economy, exacerbated by some tough economic downturns, thrust thousands of men, women, and children onto the streets, living without shelter. Out of concern for the rights of this vulnerable population, a group of State and local homeless coalitions gathered together and established the National Coalition for the Homeless in 1982. In these last 30 years, the National Coalition for the Homeless has been at the forefront of the fight against homelessness. The coalition's advocacy and passion have helped define housing policy for the disenfranchised in America.

Through creative initiatives and outspoken advocacy, the coalition played an instrumental role in passage of the McKinney-Vento Homeless Assistance Act, the first comprehensive legislation to address the issue of homelessness in our country. Most recently, the coalition has spearheaded advocacy for the Hate Crimes Against the Homeless Statistics Act, a bill that would include crimes against the homeless in the crime data the Department of Justice collects. I was a member of the Senate Judiciary Committee during the 111th Congress and I was a proud sponsor of this bill. Homeless people are particularly vulnerable targets for acts of humiliation and violence. I believe more needs to be done to protect those who can't protect themselves. I am proud to report Maryland was a pioneer in extending hate crime protections to homeless people.

I have been concerned about homelessness for a long time. I believe having adequate shelter is a human right.

A home provides safety from the elements and random acts of violence. It is a place where possessions and items as fundamental as medications can be kept safely. Yet, homelessness persists as one of our Nation's most pressing social problems and has grown more challenging in the wake of the housing market collapse and the return of veterans from the wars in Iraq and Afghanistan. As we continue to recover from the economic downturn, it is imperative that the Nation not lose ground in the struggle against homelessness, especially among Americans who have lost jobs through no fault of their own, those homeowners and families who are struggling due to the ongoing foreclosure crisis, and our veterans.

I applaud the courage of the members and volunteers of the National Coalition for the Homeless. Their selfless striving to end homelessness in America has changed the lives of thousands and thousands of our fellow Americans, even when so many others have averted their gaze. I hope my colleagues will join me in congratulating the National Coalition for the Homeless on 30 years of service to our communities and in rededicating ourselves to work with the coalition on ending the tragedy and scourge of homelessness in the richest nation on Earth.

#### TRIBUTE TO JOYE KADING

Mr. BARRASSO. Mr. President, I would like to take a moment to tell my colleagues about a remarkable lady, Joye Kading. Joye is being honored this week with the dedication of the Joye Kading Gallery at the Wyoming Veterans Memorial Museum.

Joye Kading is the founder of the Wyoming Veterans Memorial Museum. Located at the former Casper Army Air Base, a training facility for bomber pilots from 1942-1945, the museum is housed in the original tar paper building that served as the enlisted men's club.

Joye saw the Casper Army Air Base through its entire lifetime. She was there when the area was nothing but open Wyoming prairie, and watched it develop into an operational air base. She saw it through its heyday, and she was there when the base shut down at the end of World War II. In March 1942, when Lt. Col. Carl T. Nordstrom came to visit Casper to see if it was a viable spot for an air base, he hired Joye to serve as his secretary. Her tenacity, ingenuity, and initiative was so highly regarded that she continued to serve as a secretary for many of the Casper Army Air Base's top officials. Around the air base and in the community, she was a confidant, a big sister, and always willing to give a word of advice or just take the time to listen.

During her work with the officers and personnel at the base, Joye collected photographs, letters, programs and other memorabilia. Her collection became a central part of the historical

records she preserved through the Wyoming Veterans Memorial Museum. Many of the men in Joye's photographs did not return from war. Joye's passion for preserving this unique part of Wyoming's history has ensured that stories of the servicemembers stationed in Casper will not fade away with time.

In 2006, Kading was awarded the Daughters of the American Revolution National History Award for her dedication and commitment to honoring veterans and preserving their history. Throughout her life, Joye Kading has embodied the spirit of service to country and responsibility of community. The newly dedicated gallery will serve as a permanent memorial for Joye's important contribution to preserving Wyoming's rich military history. She is a true American patriot and a cornerstone of Wyoming's unique heritage. I am honored to call Joye Kading my neighbor, a former patient, and my friend.

#### ADDITIONAL STATEMENTS

##### REMEMBERING JEAN CLARK ROGERS

• Mr. BEGICH. Mr. President, today I wish to honor and remember Mrs. Jean Clark Rogers. Mrs. Rogers died on February 20 at the age of 93 in the home designed by her beloved late husband George. Her daughter, Sidney, was by her side.

Jean became an Alaska treasure who enriched the territory and State for over 65 years. Mother to six adopted children, she was also a celebrated children's book author, an educator, a volunteer, and a passionate friend of the arts.

With savings from her first job as a fifth-grade teacher, Jean Clark enrolled at the University of California at Berkeley. There she met and married the love of her life, George Rogers. In 1945, after completing their degrees, they set sail for Juneau where George had a job with the U.S. Office of Price Administration.

From the time she arrived in Juneau, Jean Clark Rogers made an impact. An avid reader, she was also a talented writer who authored children's books that appealed to both children and adults. Her best known work is "A King Island Christmas," on which she collaborated with a close friend and well-known Alaskan artist, Rie Muñoz. The inspirational book describes an extraordinary effort by a small and isolated island community to celebrate Christmas in the midst of a winter storm. Adapted into a libretto for an oratorio by playwright Deborah Brevoort, the work premiered at Juneau's Perseverance Theater in 1997 and is still performed throughout the United States. This August it will be presented by a Juneau cast at the Fringe Festival in Edinburgh, Scotland.

Literature was so important to Jean that she regularly provided animated

readings at schools and public libraries. Recognized endearingly by children as "the lady who pushes books," she was awarded an honorary doctorate of human letters by the University of Alaska Southeast in recognition of her contributions to children's literacy and literature.

Jean was a busy author and mother, but she always found time to contribute to her State and her community. She served on boards for the Alaska Public Offices Commission, the Alaska Public Broadcasting Commission, and Juneau's Capital City Broadcasting, Inc.—the KTOO family of public stations.

Jean was an avid supporter of local performing arts groups. She loved to sing and added her voice to the St. Paul Singers and the Juneau Lyric Opera. Rarely did she miss a performance of the Juneau Symphony, Perseverance Theater or Opera to Go. In oversized glasses and colorful attire, she stood out in the crowd.

Most recently, Jean Rogers became a visual artist. At age 87, her intricate collages of cut paper were exhibited at the Canvas studio in Juneau, where note cards featuring her designs enjoyed brisk sales.

Despite physical frailties near life's end, Jean found joy outside her challenges. She would comment on the beauty of the day or how much she enjoyed a game of cribbage or dominoes.

While we mourn the loss of Jean's presence, all things shared by this remarkable woman live on. •

##### TRIBUTE TO CHIEF JUDGE ROBERT BELL

• Ms. MIKULSKI. Mr. President, today I rise to honor the career of an outstanding individual, Chief Judge Robert Bell. Judge Bell is a trailblazer, a stellar legal mind, and a mentor to so many. We are truly blessed to have had him at the helm of our State judiciary here in Maryland for 17 years. We honor him today for his unwavering commitment to justice and for his service to the people of Maryland.

I often speak on the importance of our judges understanding and being connected to the public they serve and the communities in which they serve. Judge Bell reached the highest levels of the judiciary, yet he never forgot where he came from. He was raised in Baltimore and attended Dunbar High School, where he served as student body president and ran on a ticket with Reginald Lewis. He attended college at Morgan State University and then went on to Harvard Law.

Judge Bell has left an enduring legacy that has been shaped by his life events. When he was 16 years old, he was arrested at Hooper's Restaurant in Baltimore because he refused to give up his seat. Judge Bell became the plaintiff in a landmark civil rights case that helped lead to the end of segregation in public accommodations in Maryland.