

I'm proud that our local offices took the initiative and came up with a better way to implement this new requirement. Thanks to their innovation, staff will spend more time serving the public and less time processing paperwork. That's better for Social Security, better for the Clerk's office, and best of all, better for all the Macomb County residents they serve.

#### INTRODUCTION OF THE WE THE PEOPLE ACT

#### HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2006

Mr. PAUL. Mr. Speaker, I rise to introduce the We the People Act. The We the People Act forbids federal courts, including the Supreme Court, from adjudicating cases concerning state laws and policies relating to religious liberties or "privacy," including cases involving sexual practices, sexual orientation or reproduction. The We the People Act also protects the traditional definition of marriage from judicial activism by ensuring the Supreme Court cannot abuse the equal protection clause to redefine marriage. In order to hold federal judges accountable for abusing their powers, the act also provides that a judge who violates the act's limitations on judicial power shall either be impeached by Congress or removed by the president, according to rules established by the Congress.

The United States Constitution gives Congress the authority to establish and limit the jurisdiction of the lower federal courts and limit the jurisdiction of the Supreme Court. The Founders intended Congress to use this authority to correct abuses of power by the federal judiciary.

Some may claim that an activist judiciary that strikes down state laws at will expands individual liberty. Proponents of this claim overlook the fact that the best guarantor of true liberty is decentralized political institutions, while the greatest threat to liberty is concentrated power. This is why the Constitution carefully limits the power of the federal government over the states.

In recent years, we have seen numerous abuses of power by federal courts. Federal judges regularly strike down state and local laws on subjects such as religious liberty, sexual orientation, family relations, education, and abortion. This government by federal judiciary causes a virtual nullification of the Tenth Amendment's limitations on federal power. Furthermore, when federal judges impose their preferred policies on state and local governments, instead of respecting the policies adopted by those elected by, and thus accountable to, the people, republican government is threatened. Article IV, section 4 of the United States Constitution guarantees each state a republican form of government. Thus, Congress must act when the executive or judicial branch threatens the republican governments of the individual states. Therefore, Congress has a responsibility to stop federal judges from running roughshod over state and local laws. The Founders would certainly have supported congressional action to reign in federal judges who tell citizens where they can and can't place manger scenes at Christmas.

Mr. Speaker, even some supporters of liberalized abortion laws have admitted that the

Supreme Court's *Roe v. Wade* decision, which overturned the abortion laws of all fifty states, is flawed. The Supreme Court's Establishment Clause jurisdiction has also drawn criticism from across the political spectrum. Perhaps more importantly, attempts to resolve, by judicial fiat, important issues like abortion and the expression of religious belief in the public square increase social strife and conflict. The only way to resolve controversial social issues like abortion and school prayer is to restore respect for the right of state and local governments to adopt policies that reflect the beliefs of the citizens of those jurisdictions. I would remind my colleagues and the federal judiciary that, under our Constitutional system, there is no reason why the people of New York and the people of Texas should have the same policies regarding issues such as marriage and school prayer.

Unless Congress acts, a state's authority to define and regulate marriage may be the next victim of activist judges. After all, such a decision would simply take the Supreme Court's decision in the *Lawrence* case, which overturned all state sodomy laws, to its logical conclusion. Congress must launch a preemptive strike against any further federal usurpation of the states' authority to regulate marriage by removing issues concerning the definition of marriage from the jurisdiction of federal courts.

Although marriage is licensed and otherwise regulated by the states, government did not create the institution of marriage. Government regulation of marriage is based on state recognition of the practices and customs formulated by private individuals interacting in civil institutions, such as churches and synagogues. Having federal officials, whether judges, bureaucrats, or congressmen, impose a new definition of marriage on the people is an act of social engineering profoundly hostile to liberty.

It is long past time that Congress exercises its authority to protect the republican government of the states from out-of-control federal judges. Therefore, I urge my colleagues to co-sponsor the We the People Act.

#### RECOGNIZING JACOB LEE WIER FOR ACHIEVING THE RANK OF EAGLE SCOUT

#### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Jacob Lee Wier, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and in earning the most prestigious award of Eagle Scout.

Jacob has been very active with his troop, participating in many scout activities. He has camped at the H. Roe Bartle Scout Reservation for six years and earned the rank of Firebuilder in the Tribe of Mic-O-Say. Over the many years Jacob has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Jacob Lee Wier for his accom-

plishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### INTRODUCTION OF THE CHILDREN'S HEALTH FEDERAL TRADE COMMISSION AUTHORITY RESTORATION ACT

#### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2006

Ms. NORTON. Mr. Speaker, I am pleased today to introduce legislation to restore the Federal Trade Commission's (FTC) authority to regulate marketing to children under the age of 18 in order to help eliminate an epidemic of overweight and obesity that studies link to pervasive advertising of junk food to the Nation's youth. A similar provision has been introduced as part of a larger bill in the Senate, and former President Clinton is taking a leading role in efforts to control the rapid increase in overweight and obesity in children. Yet Congress has failed to take decisive action, despite definitive studies that show that childhood obesity has become one of the Nation's most serious health issues, creating a surge in debilitating diseases we are seeing for the first time in kids.

The Centers for Disease Control reports that 12.5 million children and adolescents, ages 2–19, are overweight, a rate that has tripled in the last 40 years. As a result, the incidence of Type 2 diabetes in children, a disease that is mainly associated with adults, has become widespread in recent years. Overweight children have a more than 70 percent chance of being overweight adults, putting them at risk for many serious health conditions, such as high blood pressure, asthma and heart disease. Many of these children are obese in part because they watch so much television, on the average, over 2 hours a day. However, a study by the congressionally chartered Institute of Medicine (IOM) found extraordinary growth in new food products targeted to children, from just 52 new product introductions in 1994 to close to 500 just last year. Significantly, the IOM report finds that advertisements during children's programming feature foods high in fat, with little to no nutritional value.

The problem is even greater in programming geared toward African American television consumers, adults and children alike. A summer 2005 survey of programming on Black Entertainment Television (BET) found that 66 percent of the ads were for fast food commercials. The study monitored commercials during the afternoon hours, when children watch cartoons and "tween" shows. The WB Network and Disney Channel were also monitored in the study. During that time slot, over 1,000 ads were shown on all three channels. Only 34 percent of ads on the WB promoted fast foods, and none at all on the Disney channel. McDonald's was the leading fast food advertiser on BET. Further, 82 percent of advertisements on BET were for soda, with the WB at 11 percent. The Disney Channel accounted for only 6 percent of soda advertisements. Advertisements for snacks accounted for 60 percent of BET programming, 40 percent on the Disney Channel and none

on the WB. As a result of increased fast food advertising, children are more likely to consume an additional 167 calories a day, a caloric intake that further exacerbates already high obesity rates. Currently, obesity affects nearly 18 percent of black children compared to 14 percent of white children.

These studies are evidence that the estimated \$15 billion spent on junk food marketing in the last year is adversely affecting the eating habits, and consequently, the health of our nation's youth. This marketing is especially problematic in poor, predominately African American neighborhoods, many of which have no access to fresh and healthy food products due to a dearth in neighborhood grocery stores. This problem is highlighted here in the District where the lowest income wards attract corner convenience stores that feature unhealthy, fatty foods in abundance, but do not provide foods of significant nutritional value that assist both in the intellectual and physical growth and development of children.

The FTC and Federal Communications Commission (FCC) have historically shared joint jurisdiction over advertising to children. The FCC first implemented regulations on children's advertising in 1974, setting limits on the amount of advertising per hour during children's programs, but these limits do not address the content of the ads. Under current law, the Children's Television Act of 1990, advertising during children's programming is restricted to no more than 10½ minutes per hour on the weekends, and 12 minutes per hour on the weekdays. However, these "restrictions" are simply an adoption of what is already the established industry norm.

In 1978, the Federal Trade Commission recommended banning television advertising to children under the age of eight after research at the time indicated that marketing to young children was unfair because young children do not understand the persuasive intent of advertising, thereby establishing an unfair and deceptive act or practice. However, industry lobbyists filed a lawsuit against the FTC, and lobbied Congress instead to pass the FTC Improvement Act of 1980, which stripped the FTC of its authority to issue industry-wide regulations to stop unfair advertising practices.

The debate still continues, however, as the IOM's recent report recommends banning television advertising to children even up to the age of twelve, and the American Psychological Association (APA) says that children under the age of nine cannot understand persuasive intent. Nevertheless, the methods for advertising products to children have become more sophisticated. Marketing strategies now include Internet games, specialized product placement in stores, as well as cartoon character endorsements like those that featured Sponge Bob Square Pants endorsing Burger King products, and promoting unhealthy eating habits.

Ironically, funding will lapse this year for a successful program I cosponsored that turned television on its head, and according to studies, has effectively used TV to get children active. The Youth Media Campaign—VERB™ program, the brainchild of the former chair of the Labor/HHS subcommittee, Jon Porter, with whom I collaborated when I had a similar bill, received no funding in the President's Fiscal Year 2007 budget, and the program, despite its demonstrated effectiveness, has received less and less funding since its inception, from

an initial appropriation of \$125 million. The VERB™ program focuses children on physical activity at a time when physical education is often no longer a required component of school curricula. Through print, radio, internet and television advertising targeted at the nation's 21 million children aged 9–13 years, VERB™ programming emphasized free-time, outside of the classroom where children traditionally are at play. The program also featured a multicultural message, giving extra focus to African American and Hispanic youth who have the highest incidence of childhood obesity. Most important, two recent evaluations of VERB™ have found the program to be remarkably effective. VERB™ offered the first concrete hope of progress against the alarming surge in debilitating diseases we are now seeing for the first time in children, and I sincerely hope that the Congress will again fund this program to ensure its continued success.

However, I am pleased to join with Senator TOM HARKIN, who has introduced this language in the Senate as part of a more comprehensive bill promoting healthy lifestyles and disease prevention. I am also pleased to join with others, such as former President Clinton, who has joined with the Nickelodeon Channel to promote responsible, healthy food choices and lifestyles. I urge my colleagues to support this legislation.

#### HONORING THE RIDE FOR LORRAINE

**HON. NITA M. LOWEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mrs. LOWEY. Mr. Speaker, I rise today to recognize the accomplishments of the Ride for Lorraine, a charity bike ride to benefit the National Transplant Assistance Fund (NTAF) and raise awareness for stem cell research.

The Ride for Lorraine, a five-day bike ride beginning in Hartsdale, New York, honors Lorraine Valentini, a former High School English Literature teacher, volunteer firefighter, and U.S. Masters Gold Medal Cyclist. Lorraine's life was tragically altered in May 2005 when the spinal cord injuries she suffered in a bike accident left her paralyzed below the neck.

During the five-day trip, Lorraine's family, friends and supporters will stop at the Dana and Christopher Reeve Paralysis Foundation in New Jersey, the Kennedy Krieger Institute in Maryland, and finally here at the Capitol Building. I encourage all of my colleagues to listen to their message that stem cell research can bring cures and therapies for many devastating and debilitating conditions.

These dedicated, passionate participants are working hard to not only raise awareness for stem cell research, but to raise money for Lorraine's daily care and rehabilitation while directing donations to the NTAF to aid other transplant and catastrophic injury patients.

Mr. Speaker, I urge my colleagues to join me in honoring the efforts of teamLorraine.org and wishing the Ride for Lorraine participants luck.

#### PERSONAL EXPLANATION

**HON. HENRY J. HYDE**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. HYDE. Mr. Speaker, on June 27 and 28, 2006, I was absent for several votes for personal reasons. Had I been present, I would have voted: Vote Nos. 319, "yes"; 320, "yes"; 321, "yes"; 326, "no"; 327, "no"; 328, "no"; 329, "yes"; 330, "no"; 331, "no"; 332, "no"; 333, "no"; 334, "no"; 335, "no"; 336, "no"; 337, "no"; 338, "no"; 339, "no"; 340, "no"; 341, "no"; 342, "no"; 343, "no"; 344, "no"; 345, "no"; 346, "no."

#### RECOGNIZING BRENT TRAUGOT SAVIGNE FOR ACHIEVING THE RANK OF EAGLE SCOUT

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Brent Traugot Savigne, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and in earning the most prestigious award of Eagle Scout.

Brent has been very active with his troop, participating in many scout activities. He has camped at the H. Roe Bartle Scout Reservation for 6 years and earned the rank of Tom-Tom Beater in the Tribe of Mic-O-Say. Over the many years Brent has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Brent Traugot Savigne for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### CONGRATULATING THE STAR COMMUNITY NEWSPAPERS

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. BURGESS. Mr. Speaker, I rise today to congratulate the Little Elm Journal, the McKinney Courier Gazette, and the Frisco Enterprise as they and their staffers took home numerous awards in the Texas Press Association's 2006 Better Newspapers Contest. These Star Community newspapers, which are read throughout my district, were among 194 papers and 1740 total entries in the contest.

The Little Elm Journal was named the best paper for news photography in a small weekly as well as receiving the winner's plaque for feature stories written by former staff writer Corina Miller. The Journal also took second place in news writing by community editor Devin Monk, third place in sports coverage, and fourth place in sweepstakes.

The McKinney Courier-Gazette took second-place honors in the small daily division for