

the Supreme Court of the United States of America refused to take the case.

In a similar case in the city of Richmond, Indiana, in my own district, the county government has been sued by the local civil liberties union. The plaintiff in the case has requested that Wayne County, Indiana, remove the Ten Commandments from the courthouse lawn, commandments that have stood, Mr. Speaker, on the lawn of the Wayne County courthouse for over 4 decades.

Lawsuits like this are being brought before courts across the country. As I have said, Mr. Speaker, these cases come at a unique time in our Nation's history. I am greatly disappointed that the Supreme Court has refused to hear this case at such a time as this. Not only are these lawsuits to remove the Ten Commandments from our Nation's public buildings based on a flawed reading of the U.S. Constitution, but I assert it also reveals a profound misunderstanding of the foundations of our national government.

The first amendment to the Constitution reads, as we all know, that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." As scholars and average citizens know, until the 1960s, most Americans understood this to be the Establishment Clause. It was intended to allow Americans to worship freely and prevented the Federal Government from creating any official religion. The Establishment Clause was interpreted again and again by the Supreme Court to be a requirement that we as Americans accommodate in the public square the fact that we are, as one court wrote a "deeply religious peoples whose institutions presuppose a supreme being." In fact, on the very walls of this Chamber that read, in my presence, the phrase, "In God We Trust," on the very walls of the United States Supreme Court hang the Ten Commandments themselves, this is proven out.

Beginning with the Supreme Court's decision in *Everson v. Board of Education*, our courts have reinterpreted the meaning of the Establishment Clause, and now many Americans believe the phrase, "wall of separation of church and State" actually appears in our Constitution.

Chief Justice William Rehnquist said, and I am quoting now, "There is simply no historical foundation for the proposition that the Framers intended to build a 'wall of separation'" as expressed in the *Everson* case. "The 'wall of separation' between church and State is a metaphor based," the Chief Justice said, "on bad history, a metaphor which has proved useless as a guide to judging."

With the phrase "bad history," the Chief Justice points out, perhaps the greatest problems with those like the civil liberty lawyers who would remove all vestiges of religion from public life, a lack of understanding about the founda-

tions of our Nation and our national laws. As I said, Mr. Speaker, the reality is that as evidenced on these walls, as evidenced as I look up in this Chamber and am looked down upon by the very gaze and likeness of Moses himself, the reality is that the Ten Commandments represent not just the cornerstone of the three great religions of planet Earth, but also they are the inconvenient cornerstone of western civilization. They are, however inconvenient to the modernists and the liberals of our day, they are the cornerstone of our moral and legal and governmental institutions in Western Civilization.

So for the court to have missed an opportunity this week to reframe our constitutional law to once again accommodate the religious expression of good people, the good people of Indiana, the good people of Wayne County, Indiana, is deeply saddening to me and to many millions of Americans.

Therefore, next week, Mr. Speaker, I will do what I can in this Chamber to reset the legal dial to join this national debate. I will introduce legislation known as the Ten Commandments Defense Act that will allow States to determine the appropriate display of this inconvenient cornerstone of Western Civilization.

TRIBUTE TO PROFESSOR HAKI MADHUBUTI

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, I rise today as we continue to celebrate the achievements and milestones that comprise black history. Indeed, my remarks proclaim how far we have come and chronicle the lives of historical individuals of preceding generations. There are trailblazers today as well, and I appreciate the opportunity to pay tribute to my friend, Professor Haki Madhubuti.

In August 2001, Professor Madhubuti was appointed Distinguished Professor by Chicago State University, the first African American male to obtain this distinction in Chicago State University's 135-year history.

Born Donald Luther Lee in Little Rock, Arkansas, in 1951, Haki Madhubuti is an influential poet, essayist, activist, and editor. As a child, he moved to Chicago and later attended the University of Illinois, Roosevelt University, and earned his Master's of Fine Arts from the University of Iowa.

According to Professor Madhubuti, "Ideas are important. The writing of ideas, the publishing of ideas, and the purveying of ideas. So at 17 years old, I got into the idea business: thinking them, writing them, and later on at publishing them."

Consequently, he is the author of more than 20 books, including "Heart Love: Wedding & Love Poems";

"Groundwork and Selected Poems of Haki R. Madhubuti Don L. Lee"; "Killing Memory, Seeking Ancestors; Earthquakes and Sunrise Missions: Poetry and Essays of Black Renewal"; "Book of Life"; and "Directionscore: Selected and New Poems."

These ideas shaped black literature and history and have helped to make Professor Madhubuti an important part of our intellectual landscape. He has developed his own new concept private school which he and his wife have made a citadel of learning opportunities.

Professor Haki Madhubuti has indeed distinguished himself as an important intellectual, writer, lecturer, poet and, yet, has a spirit of humility as he walks among kings and queens and yet has not lost the common touch. A man of distinction, I am pleased to recognize his contribution.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island (Mr. LANGEVIN) is recognized for 5 minutes. (Mr. LANGEVIN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

FEDERAL LAW ENFORCEMENT AGENCIES ARE OUT OF CONTROL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, I rose yesterday to discuss in a 5-minute Special Order about the horrendous miscarriage of justice that occurred in a case involving a man named Joseph Salvati in Massachusetts who was kept in prison for more than 30 years, despite the fact that the FBI and the Justice Department knew all along, from the beginning, that he was an innocent man. And even worse than keeping a totally innocent man in prison for more than 30 years, a man with a wife and four small children at the time he went into prison who had, through all of those years, to visit him in prison; even worse, the Justice Department was doing that to protect a man in the witness protection program named Joe "The Animal" Barboza, one of the leading figures in organized crime, who, listen to this, was responsible, according to the FBI and the Justice Department and law enforcement officials, who was responsible for 26 murders.

Mr. Speaker, I mentioned yesterday that I spent 7½ years as a criminal court judge in Tennessee prior to coming to Congress; and I tried the felony criminal cases, the murders, the rapes, the armed robberies, the burglary cases, the most serious cases. I have been a strong supporter of law enforcement. But it seems to me that we have allowed a government to get so big that it just gets totally out of control and then the government can somehow rationalize or justify almost anything.