

of the undeniable mark she has left on the community. We at home will fondly remember and always benefit from her dedication and leadership.

Mr. Speaker, I extend my sincere appreciation to Mrs. Barbara White upon her retirement from Garden City Public Schools and for her fine service to our country.

IN HONOR OF LIEUTENANT  
COLONEL MICHAEL J. DELANEY

**HON. ROBIN HAYES**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 8, 2004*

Mr. HAYES. Mr. Speaker, I rise today in recognition of the meritorious service of Lieutenant Colonel Michael J. Delaney to our Army and our nation. Lieutenant Colonel Delaney will soon complete 23 years of service and has distinguished himself as an outstanding American Soldier I have worked with LTC Delaney during the past several years during his time in the Army Office of Legislative Liaison and have had the privilege to travel with him. He will retire on August 1, 2004.

Most recently, LTC Delaney served as a congressional liaison for the United States Army. This position holds great importance as these individuals are often the "voice" of the Army for Congressional Members. I have often asked LTC Delaney for his advice, thoughts, opinions or help matters concerning the US Army, and he has always provided the highest level of professionalism and service to me. Perhaps this assignment was preordained, however, as Lieutenant Colonel Delaney's wife, Susan, and mother-in-law, Shirley, both served on the staffs of several Senators.

Over his 23 years of selfless service, Lieutenant Colonel Delaney served in many command and staff positions worldwide. As a junior officer, he stood at the forefront of freedom during the Cold War in Germany and earned his wings as an aviator, qualifying on a variety of rotary wing and fixed wing aircraft. During Desert Shield and Desert Storm, Lieutenant Colonel Delaney commanded an aviation unit based at Fort Belvoir. Despite the wide dispersion of his unit throughout the combat theater, they were able to successfully accomplish their mission due to his exceptional and inspirational leadership. Lieutenant Colonel Delaney has since served in a variety of positions of increasing responsibility throughout the continental United States.

Lieutenant Colonel Delaney's work as a legislative liaison and as the Chief of the Programs Division enabled the Army to provide this Congress the information we need to accomplish our constitutional duties. His efforts have been exceptional and noteworthy in working with Congress during a critical time as the Army undertook Transformation, in the aftermath of the 9/11 terrorist attacks, and during our current efforts with the Global War on Terrorism. Throughout this critical time Lieutenant Colonel Delaney has fostered a personal relationship between members of Congress and the United States Army.

Lieutenant Colonel Delaney represents the epitome of what the Army seeks in a congressional liaison and the country expects from our officers. His dedication to soldiers, commitment to excellence, and performance of duty

have been extraordinary throughout his career. As he pursues new endeavors and challenges, I wish LTC Mike Delaney well and ask God to bless him and his family.

PROPER PERSPECTIVE ON THE  
PADILLA CASE

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 8, 2004*

Mr. UDALL of Colorado. Mr. Speaker, the Justice Department recently released information about the alleged offenses of Jose Padilla, described by the Deputy Attorney General as "a trained, funded, and equipped terrorist."

If the allegations are accurate—and I have no reason to doubt them—that description seems very apt. But that cannot be the end of the story.

That's because, as the Rocky Mountain News notes, Jose Padilla is something else as well—"an American citizen who was arrested on U.S. soil two years ago and who thus enjoys, or should enjoy, certain rights—including the right to either be charged with a crime or freed from detention."

But, as the same editorial correctly points out, "Instead, he still faces no charges, and the legality of his imprisonment awaits a ruling by the U.S. Supreme Court."

When this case was considered by the Supreme Court, the Administration argued that by passage of Public Law 107-40, a resolution "to authorize the use of United States Armed Forces against those responsible for the recent attacks launched against the United States," Congress authorized such detentions. But as one who voted for that resolution, I disagree with that interpretation of its terms.

Here, too, I share the view of the Rocky Mountain News that "surely Congress did not mean to grant the executive branch unchecked discretion over the imprisonment of Americans for as long as the war against Islamic jihadists continues. That would amount to the suspension of a fundamental right for years—perhaps for generations, for all we know."

And I share the hope that the Supreme Court will "reaffirm the right of citizens—every citizen—to full and timely access to legal counsel and the judicial system. And that includes even those who may have been in league with international terrorists and who planned to blow up high-rise apartment buildings on their behalf."

For the benefit of our colleagues, I attach the full text of the editorial cited above:

[From the Rocky Mountain News, June 3, 2004]

PADILLA'S PLOTS DON'T NEGATE HIS RIGHTS

We are perfectly willing to entertain the likelihood that the Justice Department's latest portrayal of alleged terrorist Jose Padilla is accurate, including the monstrous plan to blow up high-rise apartment buildings. Padilla met with top al-Qaida leaders, according to Deputy Attorney General James Comey, discussed detonating a "dirty bomb" in the United States and finally agreed to a scheme involving apartment buildings. He would rent rooms in several complexes, seal them and fill them with natural gas, and detonate them all at once.

Padilla is "a soldier of our enemy, a trained, funded and equipped terrorist" who accepted "an assignment to kill hundreds of innocent men, women and children," Comey told reporters this week, and the description sounds about right. But Padilla is something else, too: an American citizen who was arrested on U.S. soil two years ago and who thus enjoys, or should enjoy, certain rights—including the right to either be charged with a crime or freed from detention. Instead, he still faces no charges, and the legality of his imprisonment awaits a ruling by the U.S. Supreme Court.

With its latest revelations, the Justice Department obviously is seeking to influence public opinion and perhaps even the court itself, although we don't begrudge it the attempt. But the new information fails to alter the basic problem with designating U.S. citizens arrested in this country as "enemy combatants" for purposes of removing them from normal criminal justice procedures and then interrogating them over lengthy periods of time without benefit of counsel. If the president's say-so is enough to have kept Padilla in custody for two years without a criminal charge, then nothing in principle prevents any one of us from the same fate. Federal agents have been known to arrest the wrong people, after all, and then to resist admitting their mistakes.

Fortunately, Padilla's case is apparently unique in the war on terror, despite routine claims that the Bush administration tramples indiscriminately on constitutional rights. Another U.S. citizen who also has been held in a Navy brig without normal access to counsel, Yaser Esam Hamdi, was captured in Afghanistan by the Northern Alliance. He too deserves full constitutional protections, in our view, but there is at least some sense in which being arrested at O'Hare Airport and then held incommunicado for months on end, as Padilla was, is more worrisome for civil liberties than being treated in the same fashion after capture in a foreign combat zone.

We realize courts in this nation's past have said Congress has the authority to suspend certain civil liberties during wartime emergencies. Moreover, a congressional joint resolution passed after 9/11 authorized the president "to prevent any future acts of international terrorism against the United States." But surely Congress did not mean to grant the executive branch unchecked discretion over the imprisonment of Americans for as long as the war against Islamic jihadists continues. That would amount to the suspension of a fundamental right for years—perhaps for generations, for all we know.

No, the Supreme Court must reaffirm the right of citizens—every citizen—to full and timely access to legal counsel and the judicial system. And that includes even those who may have been in league with international terrorists and who planned to blow up high-rise apartment buildings on their behalf.

A HERO RETURNS TO NORMANDY

**HON. STEVEN C. LATOURETTE**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 8, 2004*

Mr. LATOURETTE. Mr. Speaker, this past Saturday the world marked the 60th Anniversary of D-Day in Normandy. President Bush, Queen Elizabeth, and other world leaders were there, but the true heroes were those whose sacrifice is reflected by the sea of white