

I submit for the RECORD the April 3, 2006 article from the New York Times describing Caleb Foote's life and achievements.

[From the New York Times, Apr. 3, 2006]

CALEB FOOTE, LAW PROFESSOR AND PACIFIST ORGANIZER, 88, DIES

(By Douglas Martin)

Caleb Foote, whose moral sense influenced him to go to prison for refusing to do even noncombatant work in World War II, then led him to become a law professor known for advocacy of criminal rights, died on March 4 at a hospital in Santa Rosa, California. He was 88.

The cause was a blood infection, said his daughter, Heather Foote.

Mr. Foote was born in Cambridge, Massachusetts, on March 26, 1917. He graduated in 1939 from Harvard, where he was managing editor of *The Harvard Crimson*, and earned a master's degree in economics in 1941.

The Quaker faith of his mother drew him to pacifism, and he was hired that year by the Fellowship of Reconciliation, a pacifist organization, to open its Northern California office. His draft board had denied his request for conscientious objector status in 1940, deciding that his religious argument for the status was based more on humanist principles than on theology.

Mr. Foote then refused an order to report to a camp to perform alternative service, and as a result in 1943 he was convicted for violations of the Selective Service Act.

"Only by my refusal to obey this order can I uphold my belief that evil must be opposed not by violence but by the creation of good—throughout the world," Mr. Foote said in an interview with *The Associated Press*.

He served six months at a federal prison camp, then resumed his work with the fellowship, spending much of his time speaking out against the internment of Japanese-Americans. In 1943, he helped produce a pamphlet on the subject, titled "Outcasts," with the photographer Dorothea Lange.

In 1945, Mr. Foote was again sentenced for draft law violations and served a year at a federal penitentiary. He was pardoned by President Harry S. Truman. From 1948 to 1950, Mr. Foote was executive director of the Central Committee for Conscientious Objectors.

He then decided to go to law school, inspired by the desire to address the racial and economic inequalities he had witnessed in the criminal justice system, his daughter said. In 1953, he graduated from the University of Pennsylvania Law School, where he was managing editor of the law review.

The next year, he became a professor at the University of Nebraska College of Law. He persuaded a federal judge to reverse the conviction of an American Indian man whose lawyer had been incompetent. At a law school convention in New York in 1954, Mr. Foote called for the strengthening of civil remedies for false arrest.

In 1956, he moved to Penn's law school, where he led a student team that studied New York City's bail system and recommended changes. He became a leader in bail reform, and, in 1966, his book, "Studies on Bail" was published. He argued that the bail system was biased against the poor and an unfair burden on falsely accused defendants. He even argued that bail was inherently unconstitutional.

In 1965, Mr. Foote became a professor at the Boalt School of Law at the University of California, Berkeley, where he specialized in family and criminal law.

In 1968, after student protests rocked Berkeley, he was a co-chairman of an investigative committee that recommended changes that included giving the campus au-

tonomy from the rest of California's university system.

He retired in 1987 and moved to Point Reyes Station in Marin County, California, where he became active in local conservation efforts and lived until his death.

In 1993, he did a study for the Center on Juvenile and Criminal Justice in San Francisco showing that the corrections department's share of state expenditures had grown to 8.2 percent from 3.9 percent over the past 10 years, while higher education's part had fallen to 9.3 percent from 14.4 percent.

Besides his daughter, of Washington, Mr. Foote is survived by his wife of 63 years, the former Hope Stephens; their sons, Robert Foote of Copper Hill, Virginia; Andrew Eliot Foote of Los Angeles; Ethan Foote of Santa Rosa; and David Foote of Volcano, Hawaii; and four grandchildren.

THE PRESIDENT'S BUDGET: SACRIFICING SERVICES VITAL TO WOMEN AND THEIR FAMILIES

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2006

Ms. MATSUI. Mr. Speaker, the budget the House will debate tomorrow will keep us on the same irresponsible and unsustainable path that America has been traveling for the past 5 years. As a consequence of massive tax cuts, this budget continues to run dangerous fiscal deficits . . . while under-investing in programs vital to developing future generations of Americans.

For instance, the President's budget freezes funding for Head Start. As a result 19,000 children will have to be cut from Head Start next year. When I was home in my district, I toured the Nedra Court & Whispering Pines Head Start programs. They offer comprehensive child development programs vital to women's economic well-being and the ability of their children to succeed in school.

I understand we are in a tight fiscal situation and we need to be realistic. But we need to start making smarter spending decisions—like ensuring children succeed in school and that parents have the resources to support them.

Yes, we need to be making tough choices, but not on the backs of women and future generations.

TRIBUTE TO JEFFREY KAHANE

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2006

Ms. WOOLSEY. Mr. Speaker, I rise today to honor Jeffrey Kahane, a man who has filled the world with beautiful music and a beautiful philosophy, bringing them to young and old through both performance and education. His inspiration and motivation came as a result of one of history's most sombre times.

At age 17, Jeffrey Kahane's mother and her brother were sent by their parents from Germany to the United States to escape the growing Holocaust. Her ship docked in New Orleans, but on the same day a second ship, the *Saint Louis*, was turned away from Miami. That was the cursed "Ship of Fools," and all

of its passengers were forced to return to Germany and were annihilated. As a new American, and as Lore Kahane grew older, she remained always sensitive to her good fortune, and she determined to raise her children to enrich America, its people and its culture.

For son Jeffrey, music is the means by which he fulfills his mother's mission. Soon after graduation from the San Francisco Conservatory of Music, he made his debut as a classical concert pianist at Carnegie Hall in 1983. He has become one of the best in the nation, appearing as soloist with great American, English, Austrian, and Spanish orchestras. Yo Yo Ma, Hilary Hahn and many famed performers have recorded with Jeffrey, as have many orchestras.

He made his conducting debut in 1988, and that has become a major joy to him and to his legions of admirers. A born educator, he brings to an audience not only magnificent music, but also fascinating and significant stories about the music and its composers. A particular goal for him is to educate and inspire youths who then become the audiences and the performers of tomorrow.

He has been creative director of the Los Angeles Chamber Music Orchestra for many years. For the past 10 years, he also has conducted the Santa Rosa Symphony Orchestra. During that time, he has built the orchestra into one of the outstanding regional symphonies in the nation. He also is Artistic Director of the Green Farm Music Festival in Sonoma County.

His outreach to this community has been unique. For example, he took his vision to the Fine Arts department of Santa Rosa High School and explained the meaning behind two great works—Benjamin Britten's *War Requiem* and Michael Tippett's *Child of Our Time*. Over many months, he worked with and inspired students and their teachers to create ballets, plays, art work, etc. that expressed the deep philosophies of these musical works. Then, on the nights when the two works were performed on stage, the students performed their creations and displayed their art work in the concert hall lobby.

This is just one example of his using music for messages that address great wrongs to humanity: war, poverty and, yes, the Holocaust. It has been actions such as these that have led to Maestro Kahane's being so well-loved and well-respected by his community.

Now he is leaving Santa Rosa to become Musical Director of the Colorado Symphony in Denver. He has promised to return frequently and play for Santa Rosans, many of whom he has educated to understand and love classical music. In the months and years to come, Denver will come to enjoy and respect this amazing performer and admirable human being.

We salute Jeffrey Kahane for his continuing contribution not only to entertainment but to knowledge and caring for the wonders of music as an expression of the best of humanity by young and older Americans and citizens of many countries.

And we bestow high gratitude to Lore Kahane, his mother, who brought light out of the darkness of the Holocaust by encouraging a son to make this world a better place with music.