

to know they could not foresee the future. As a result, Article V provides for a mechanism to amend the Constitution.

We all know the Constitution is not perfect, even after 27 amendments. The Constitution has, although, protected the individual liberties all Americans have enjoyed for over 200 years.

As the proud holder of the seat first held by James Madison, my first objective is to never do any harm to the Constitution. However, the Founding Fathers acknowledged a need to amend the Constitution. The States' Initiative is a direct descendant of Madison's writings.

In Federalist paper 43, James Madison wrote,

... useful alterations will be suggested by experience. The Constitution moreover equally enables the general and the state governments to originate the amendment of errors as they may be pointed out by the experience on one side or on the other.

At present, Article V provides for two ways to amend the Constitution.

The first involves the presentation of an amendment by Congress to the states for ratification.

The second is by constitutional convention, convened at the request of the State legislatures.

Even with both methods available, to date, all amendments to the Constitution have been enacted following passage by the Congress and ratification by three-fourths of the States.

Some have asserted that the second method has not been as effective as intended by the Framers.

On the Op/Ed pages of the Richmond Times-Dispatch, my local newspaper, Edward Grimsley wrote about the dilemma which would be remedied by the States' Initiative. Edward Grimsley wrote, "In the hands of the people the amending process could produce some truly wonderful results."

By allowing the States an effective mechanism to amend the Constitution, more power can be returned to the people. After all, "We the People" are the first 3 words of the Constitution.

Why is the States Initiative necessary? Persuasive arguments have been made that a constitutional convention might alter the Constitution more expansively than intended by proponents of a specific proposed amendment. This is known as the fear of a "run-away" convention.

The States Initiative implements a more effective method by which states could take the initiative in the process by which the Constitution is amended. This bill allows the States to initiate the amendment process that is devoid of the perils of a "run-away" constitutional convention.

Another problem with a constitutional convention is that even if it isn't a "run-away" convention (that is, even if the constitutional convention met to adopt only one amendment), the mere fact that the States met could have a far-reaching jurisprudential impact. Would the Supreme Court view a constitutional convention which kept the pre-existing Constitution as an implicit ratification of prior Supreme Court rulings? This would cause those on the left (who oppose certain Rehnquist Court rulings) and those on the

right (who oppose certain Warren Court rulings) a considerable amount of trouble.

To restore the Framers' design, that is a design where the states could initiate the amendment process, our proposal would allow a constitutional amendment to be presented to Congress after two-thirds of the States indicated approval of an identical amendment via their State legislatures.

If two-thirds of each House of Congress does not agree to disapprove of the proposed amendment, it would be submitted to the States for ratification.

Upon ratification by three-fourths of the States legislatures, the amendment would become part of the Constitution.

I am proud to sponsor this constitutional amendment which will return power back to States, where the Framers intended it to be.

#### PERSONAL EXPLANATION

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 12, 1999

Mrs. MALONEY of New York. Mr. Speaker, during rollcall vote No. 14 (H.R. 435), I was unavoidably detained. Had I been present, I would have voted "yea."

#### TRIBUTE TO JOHN RUTHVEN, A GREAT LIVING CINCINNATIAN

### HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, February 12, 1999

Mr. PORTMAN. Mr. Speaker, I rise to pay tribute to John Ruthven, a longtime friend and leader in my community, who will be honored as a Great Living Cincinnati on February 19, 1999 by the Greater Cincinnati Chamber of Commerce. He was selected based on his community service, business and civic accomplishments, awareness of the needs of others, and achievements that have brought favorable attention to the Cincinnati area.

As a child of the Depression, John says his family didn't have much—except of lot of love. He grew up in Walnut Hills and graduated from Withrow High School. After serving in the Navy during World War II, he graduated from the Cincinnati Art Academy and opened a commercial art studio. John won the prestigious Federal Duck Competition in 1960 with "Redhead Ducks," and his work began to be known across the country. In 1971, he founded Wildlife Internationale to produce limited edition lithographs. He has earned numerous awards, including Ducks Unlimited's First Artist, and Trout Unlimited Artist of the Year. John's art is displayed in the White House, in the Congress and in other prominent places around the world.

He has given generously of his time and extraordinary skill to benefit numerous charities over the years. He is a modern day Audubon who is both an internationally known wildlife artist and a committed naturalist. John Ruthven is also a warm and caring person

who brightens the lives of those he meets. He is a truly great Living Cincinnati. All of us in Cincinnati are proud of his accomplishments and are grateful for his service to others.

#### IN MEMORY OF JERRY FELDMAN

### HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 12, 1999

Mr. DEUTSCH. Mr. Speaker, I rise today to honor the memory of Jerry Feldman, a generous and ground-breaking community leader who will be greatly missed in South Florida.

After spending a large portion of his life in New York as a highly successful corporate executive and private business owner, Jerry and his wife Jacqueline retired to Century Village in South Florida. Adding to his already extraordinary list of accomplishments, Jerry Feldman plunged himself into community service in the hopes of improving the lives of his new neighbors and friends. As his wife so eloquently expressed, "He felt that God put him on this earth to make things better for people, and his reward would be a better life," she said. "If you cast your bread on the water, he felt, it would come back twofold."

Jerry Feldman became involved in many community organizations in his attempts to galvanize the community and create an open dialogue between South Florida's citizens. Besides being the President of the Condominium Owners of the Pembroke Pines Association, Mr. Feldman also served as Chairman of the Pembroke Pines Board of Adjustment, President of the Pembroke Pines Seniors and Law Enforcement Working Together (SALT) Council, and President of the Cambridge 4 Condominium Association in Century Village. As the Mayor of Pembroke Pines, Alex Fekete, noted, "he was a great community leader \* \* \* he helped to resolve issues \* \* \* there is a more harmonious relationship in Century Village now because of it."

In summary, Jerry's genuine leadership is rare in this age and he will be surely missed by the Century Village Community, as well as by the Pembroke Pines community at large. Jerry was an extraordinary human being who went above and beyond what he needed to be, because of his sincere desire to help his fellow man. We will all miss Jerry, but we are lucky to have so many wonderful memories of his life and work.

#### PERSONAL EXPLANATION

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 12, 1999

Mrs. MALONEY of New York. Mr. Speaker, during rollcall vote No. 15, Boehlert amendment to H.R. 350, I was unavoidably detained. Had I been present, I would have voted "yea."