

International Living and its alumni for their remarkable success in forging international connections. As attendees of last weekend's reunion can attest, the Experiment in International Living teaches young people to understand the differences that sometimes divide us while recognizing the common bonds that make us all part of the human family.

TRIBUTE TO THE HONORABLE
JOHN E. PORTER, MEMBER OF
THE HOUSE OF REPRESENTATIVES

SPEECH OF

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 2000

Mr. HASTERT. Mr. Speaker, I would like to thank the gentlewoman from Illinois (Mrs. BIGGERT) for arranging a special order to honor an outstanding colleague of mine, Congressman JOHN EDWARD PORTER, for his twenty years of service in the U.S. House of Representatives. It has been an honor and a privilege to serve alongside him for 14 of those years.

In my time working with JOHN, one thing became perfectly clear and that's his dedication to improving medical research. Serving as Chairman of the Labor-HHS Subcommittee on Appropriations he has been the greatest champion of this cause. JOHN knows the important role the NIH plays in saving lives and conquering diseases such as diabetes, cancer, AIDS and alzheimers, and has made it a top priority to ensure the NIH has all the necessary resources to achieve these goals.

JOHN has also been one of the most fiscally responsible members of this House. In fact, when I was a new Member, there was a three-year period when JOHN offered budget plans to try and impose a sense of fiscal responsibility on Congress. I am pleased to say that as JOHN leaves us, the fiscal outlook of the federal government has never looked better.

Although it is often overshadowed by his dedication to medical research, JOHN has been an important leader of the "Green Republicans" in the House. He has been a staunch supporter of the Clean Air and Clean Water Acts, and has helped to enact important legislation to halt the unregulated export of waste and the destruction of tropical rainforests, as well as helped to set new standards for recycling and energy efficiency. He has also been an advocate for his district residents suffering from flood damage. For his leadership on these issues, John has received numerous awards from environmental organizations all over the world.

Speaking of world issues, I have had the opportunity to serve as a member of the Congressional Human Rights Caucus, which JOHN co-founded and currently chairs. This is an important association of Congressmen that work together to monitor and end human rights violations around the world.

While it is true that JOHN has been a strong advocate for each of these causes, more importantly, he has been the people's champion in his service of the 10th District of Illinois. He

has addressed countless infrastructure needs, most recently bringing Metra rail service from Chicago out to Lake County. He has been a great supporter of the Palwaukee and Waukegan Airports by securing FAA improvement grants to provide better service for his constituents. And he has obtained funding to clean up and restore Waukegan harbor and the Skokie Lagoons.

JOHN EDWARD PORTER has served this House with the utmost distinction and will be forever remembered for his work on behalf of biomedical research, environmental and human rights, and fiscal responsibility. He will be deeply missed by his constituents in Illinois, the Illinois delegation, and everyone who's known and worked with him over the last twenty-plus years. I wish him and his family the very best in the upcoming years.

RECOGNIZING JOSEPH EMERSON
OF ROME, GEORGIA

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 19, 2000

Mr. BARR of Georgia. Mr. Speaker, I am pleased to recognize Joseph Emerson, who has recently been appointed Postmaster of Rome, Georgia.

Postmaster Emerson began his postal career in Rome, Georgia as a PTF carrier in 1961. He was promoted to Assistant Carrier Station Superintendent, and since his promotion he has served as a supervisor in mail processing and delivery, Superintendent of Postal Operations, and Officer-in-Charge assignments.

Mr. Emerson's dedication to excellence makes him a role model for his family and co-workers, and I am pleased to honor his impressive accomplishments and wish him well as he begins his service as United States Postmaster in Rome, Georgia.

INTRODUCTION OF THE NATIVE
AMERICAN EQUAL RIGHTS ACT
OF 2000

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 19, 2000

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to introduce the "Native American Equal Rights Act of 2000."

Most Americans believe that ours should be a color-blind society in which an individual's merit, not his or her race, is the determining factor in whether that individual climbs the ladder of success to achieve the American dream. Most Americans, therefore, oppose any racial preferences in our Nation's laws. Most Americans would be surprised, therefore, to learn that non-Indians may be lawfully discriminated against under what are known as "Indian preference laws."

The Federal Indian preference laws do three things. First, Federal law allows discrimination against all non-Indians with respect to employ-

ment at the Bureau of Indian Affairs and the Indian Health Service. Second, Federal law allows discrimination against all non-Indians with regard to certain Federal contracts. Third and finally, Federal law provides an exception to the civil rights laws that allows discrimination against all non-Indians in employment at the two Federal agencies and with respect to contracts.

Mr. President/Mr. Speaker, African-Americans, Asian-Americans, and white Americans should have the same rights to compete for jobs at the Bureau of Indian Affairs and the Indian Health Service that Indians do. Likewise, all Americans should have equal rights, regardless of race, to compete for Federal contracts. Finally, the civil rights laws should protect all Americans equally from the scourge of discrimination. That is why I believe that the Indian preference laws are wrong.

A recent decision by the Supreme Court of the United States has called the constitutionality of Indian preference laws into serious question. On February 23, 2000, the Supreme Court handed down its decision in *Rice v. Cayetano*. The case involved a challenge to a law of Hawaii that limits the right to vote for trustees of the Office of Hawaiian Affairs to persons who are defined under the law as either "Hawaiian" or "native Hawaiian" by ancestry. Harold Rice, who was the plaintiff in the case, is a citizen of Hawaii who nevertheless does not qualify, under the Hawaii law, as "Hawaiian" or "native Hawaiian." Mr. Rice sued Hawaii because he believed that this law deprives him of his constitutional right to vote because of his race.

The U.S. District Court for Hawaii rejected Mr. Rice's claim. In doing so, the District Court argued that the Congress and native Hawaiians have a guardian-ward relationship that is analogous to that which exists between the U.S. government and Indian tribes. Based on this analogy, the District Court determined that the Hawaii is entitled to the same constitutional deference that the Supreme Court has shown towards the Congress when it enacts laws under its authority over Indian affairs.

The U.S. Court of Appeals for the Ninth Circuit affirmed the District Court's decision. Mr. Rice asked the Supreme Court review his case. The Court agreed to do so.

By a vote of 7-2, the Supreme Court reversed the decision of the Court of Appeals and ruled in Mr. Rice's favor. In his opinion for the Court, Justice Kennedy rejected the lower courts' use of the analogy of the Hawaii law limiting voting rights to the Federal laws granting preferences to Indians.

Under the Federal Indian preference laws, individuals who have "one-fourth or more degree Indian blood and. . . [are] members of a Federally-recognized tribe" are given preferences with respect to hiring and promotions at the Bureau of Indian Affairs of the U.S. Department of the Interior, as well as with regard to employment and subcontracting under certain Federal contracts. The Supreme Court upheld the Indian preference laws in its 1974 decision in a case called *Morton v. Mancari*. Even though the Indian preference laws clearly have the effect of giving one race an advantage over others, the *Mancari* Court held that they are "political rather than racial in nature" because they are not "directed towards a 'racial' group consisting of 'Indians,' but rather