On the occasion of this milestone, I am proud to recognize the dedicated, hardworking employees of Aerojet in Orange and this latest of their many achievements in support of our courageous men and women who serve in the U.S. Armed Forces. These Virginians are working hard to ensure our men and women in uniform are protected and have the resources they need to carry out their missions effectively and quickly and they are most deserving of our sincere appreciation.

IN RECOGNITION OF THE 7TH ANNUAL KIT'S MIRACLE MILE AND BRAIN INJURY SERVICES, INC.

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 28, 2010

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to recognize the 7th Annual Kit's Miracle Mile 10k Run/Walk and Brain Injury Awareness Fair. This event serves to raise money and awareness to better treat and understand those suffering from traumatic brain injury.

Brain Injury Services, Inc., BIS, works to assist those living with the consequences of a traumatic brain injury. Since 1989, BIS has offered services to residents throughout the northern Virginia area. Individuals suffering from traumatic brain injuries often require help learning to navigate the world with reduced cognitive functions. BIS addresses the needs of these individuals with professional experience and compassion in connecting people with the information and resources they need to be successful in their daily lives. With roughly 500 cases at any given time, BIS provides independent living skills training, respite care, specialized clubhouse programs and social skills training, often at no cost to individuals or families.

Kit's Miracle Mile is named after Kit Callahan, whose life was touched by the work of Brain Injury Services, Inc. A graduate of Virginia Tech, Kit was athletic and motivated to begin a career in finance. He pursued this endeavor by taking a job as a runner at the Chicago Commodities Exchange. Shortly after his move to Chicago, Kit suffered a traumatic brain injury, which would change his life forever. Although Kit narrowly survived, he suffered traumatic brain damage which would require him to relearn many of the day-to-day activities that most of us take for granted. He was fortunate in that he had strong community partners like Brain Injury Services, Inc. to help him navigate the challenges he faced. Kit also possessed a determination to return to a productive life and pursue the goals he had set before his injury. Through case management and training, his family became able to assist Kit in restoring his ability to be independent and maintain employment. Although to this day Kit requires the care and assistance of his family, his miraculous recovery from near death is an inspiration to everyone suffering from a traumatic brain injury.

Madam Speaker, I ask that my colleagues join me in recognizing Brain Injury Services Inc. and the important work they perform in the community and in honoring Kit Callahan for his courage and determination to recover and return to productive life. I would also like to express my sincere gratitude to the many volunteers and staff who contribute their time and energy to make this organization and the annual run/walk possible.

HONORING GLORIA AUSTIN

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 28, 2010

Mr. STEARNS. Madam Speaker, I rise today to honor a great Floridian, an internationally recognized leader in the equestrian world, founder of the Florida Carriage Museum, and the president of the Equine Heritage Institute—Ms. Gloria Austin of Weirsdale, Florida.

Ms. Austin has been justifiably credited with being responsible for educating, celebrating and preserving the history of the horse and its role in shaping world civilization and changing lives through the creation of the Florida Carriage Museum and Equine Heritage Institute.

Ms. Austin brings to her passion for all things equine an astute understanding of how beneficial involvement with horses can be to those who have development and/or physical disabilities. She has a long and storied history of actively advocating for this needy population with both financial and therapeutic support.

She has recently expanded her support into the area of providing assistance to include helping physically and mentally challenged service veterans. Her willingness to give back to those who have given so much has been justifiably lauded by numerous veterans groups as commendable.

I would be remiss if I did not acknowledge that Ms. Austin has been involved with the equine world for almost 7 decades. I have stated many of her outstanding accomplishments, but perhaps her greatest legacy to equestrian society will through her establishment of meaningful educational programs offered in the partnership with leading collegiate educational institutions, and the creation of the highly acclaimed Florida Carriage Museum. These attributes will have a lasting impact well beyond the lifespan of Ms. Austin.

Madam Speaker, please join me in honoring this outstanding leader and benefactor for her humanitarian accomplishments in the equestrian world.

TESTIMONY OF MR. CHRISTOPHER COATES BEFORE THE U.S. COMMISSION ON CIVIL RIGHTS REGARDING UNEQUAL ENFORCEMENT OF THE LAW

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 28, 2010

Mr. WOLF. Madam Speaker, I submit a copy of my September 23, 2010, letter to Attorney General Holder strongly supporting the decision of Mr. Christopher Coates to comply with a subpoena to appear before the U.S. Commission on Civil Rights. Mr. Coates contacted me prior to his testimony to share this information and he requested all applicable federal whistleblower protections.

I also submit a portion of Mr. Coates' testimony before the U.S. Commission on Civil Rights in which he discusses the unequal enforcement of federal voting laws by political and career officials in the Department of Justice.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 23, 2010.

Hon. ERIC H. HOLDER, Jr.,
Attorney General, U.S. Department of Justice, Washington DC.

DEAR ATTORNEY GENERAL HOLDER: I write to strongly support Mr. Christopher Coate's decision to comply with a federal subpoena to appear before the U.S. Commission on Civil Rights. I also wanted to make you aware that prior to appearing before the commission, Mr. Coates contacted me to share similar information relating to the equal enforcement of federal voting laws.

Mr. Coates has every right to bring this information to a Member of Congress as well as a responsibility to comply with the commission's subpoena, despite the department's obstruction. I trust that Mr. Coates will face no repercussion for his decision and expect you to inform political and career supervisors to respect his decision.

As you are aware, the 1912 Anti-Gag Legislation and Whistleblower Protection Laws for Federal Employees guaranteed that "the right of any persons employed in the civil service . . . to petition Congress, or any Member thereof, or to furnish information to either House of Congress, or to any committee or member thereof, shall not be denied or interfered with." (37 Stat. 555, 1912; codified at 5 U.S.C. 7211, 1994)

Additionally, you should be aware that federal officials who deny or interfere with employees' rights to furnish information to Congress are not entitled to have their salaries paid by the taxpayers. As ranking member on the House Commerce-Justice-Science Appropriations subcommittee, I assure you that I take this statute very seriously and will do everything in my power to enforce it should any negative actions be taken against Mr. Coates as a result of his decision to contact Congress and appear before the commission.

A copy of this letter and Mr. Coate's testimony before the commission will be submitted to the Congressional Record for public review.

Sincerely,

FRANK R. WOLF,
Member of Congress

TESTIMONY OF CHRISTOPHER COATES—U.S. COMMISSION ON CIVIL RIGHTS, SEPTEMBER 24, 2010

Good morning, Chairman Reynolds, Vice-Chair Thernstrom, and other members of this Commission. I am here to testify about the Department of Justice's (DOJ) final disposition of the New Black Panther Party (NBPP) case and the hostility in the Civil Right Division (CRD) and Voting Section toward the equal enforcement of some of the federal voting laws.

This Commission served me with a subpoena in December 2009 to testify in its investigation of the DOD's actions in the NBPP case. Since service of that subpoena, I have been instructed by DOJ officials not to comply with it. I have communicated with these officials, including Assistant Attorney General for Civil Rights, Thomas Perez, and expressed my view that I should be allowed to testify concerning this important civil rights enforcement issue. I have pointed out that I have personal knowledge that is relevant to your investigation—personal knowledge that Mr. Perez does not have—because he was not serving as AAG for Civil Rights at the time of the final disposition of the NBPP case. My requests to be allowed to testify and your repeated requests to the DOJ for it to allow me to respond to the lawfully-issued subpoena have all been denied.

Furthermore, I have reviewed the written statements and the testimony that Mr. Perez and others from the DOJ have given to this Commission and to Congress concerning the CRD's enforcement activities, including its enforcement activities in the NBPP case. In addition, I have reviewed Mr. Perez' August 11, 2010 letter to this Commission in which he again denied your request that I be allowed to testify before you and in which he made various representations concerning the CRD's enforcement practices. Based upon my own personal knowledge of the events surrounding the CRD's actions in the NBPP case and the atmosphere that has existed and continues to exist in the CRD and in the Voting Section against fair enforcement of certain federal voting laws, I do not believe these representations to this Commission accurately reflect what occurred in the NBPP case and do not reflect the hostile atmosphere that has existed within the CRD for a long time against race-neutral enforcement of the Voting Rights Act (VRA).

In giving this testimony, I do not claim that Mr. Perez has knowingly given false testimony to either this Commission or to Congress. Indeed, as I have previously indicated, Mr. Perez was not present in the CRD at the time the decisions were made in the NBPP case, and he may not be fully aware of the long-term hostility to the race-neutral enforcement of the VRA in either the CRD or in the Voting Section. Instead, my testimony claims that DOJ's public representations to this Commission and other entities do not accurately reflect what caused the dismissals of three defendants in the NBPP case and the very limited injunctive relief obtained against the remaining defendant, and they do not accurately describe the longstanding opposition in the CRD and in the Voting Section to the equal enforcement of the provisions of the VRA.

I did not lightly decide to comply with your subpoena in contradiction to the DOJ's directives not to testify. I had hoped that this controversy would not come to this point; however, I have determined that I will no longer fail to respond to your subpoena and thereby fail to provide this Commission accurate information pertinent to your investigation. Quite simply, if incorrect representations are going to successfully thwart inquiry into the systemic problems regarding race-neutral enforcement of the VRA by the CRD—problems that were manifested in the DOJ's disposition of the NBPP case—that end is not going to be furthered or accomplished by my sitting silently by at the direction of my supervisors while incorrect information is provided. I do not believe that I am professionally, ethically, legally, much less, morally bound to allow such a result to occur. In addition, in giving this testimony I am claiming the protections of all applicable federal whistleblower statutes.

On the other hand, in giving this testimony I will not answer questions which will require me to disclose communications in the NBBP case that are protected by the deliberative process privilege. That privilege that the DOJ has asserted in this matter can, in my opinion, be protected while at the same time, I can provide you information that you need to conduct your investigation—indeed, first hand information you will not have if I do not testify—that respects the privilege.

THE IKE BROWN CASE

To understand what occurred in the NBPP case, those action must be placed in the context of United States v. Ike Brown et al. Prior to the filing of the Brown case in 2005, the CRD had never filed a single case under the VRA in which it claimed that white voters had been subjected to racial discrimination by defendants who were African American or members of other minority groups. Moreover, the CRD and the Voting Section had never objected to any voting change under the preclearance requirement of Section 5 of the VRA on the ground that the change had a racially discriminatory purpose or effect on white voters. (No such objection, even in jurisdictions that have majority-minority populations, has been interposed to date. I will return to that subject later in my presentation.) I am very familiar with the reaction of many employees, both line and management attorneys and support staff in both the CRD and the Voting Section, to the Ike Brown investigation and ease because I was the attorney who initiated and led the investigation in that matter and was the lead trial attorney throughout the case in the trial court.

Opposition within the Voting Section was widespread to taking actions under the VRA on behalf of white voters in Noxubee County, MS, the jurisdiction in which Ike Brown is and was the Chairman of the local Democratic Executive Committee. In 2003, white voters and candidates complained to the Voting Section that elections had been administered in a racially discriminatory manner and asked that federal observers be sent to the primary run-off elections. Career attorneys in the Voting Section recommended that we not even go to Noxubee County for the primary run-off to do election coverage, but that opposition to going to Noxubee was overridden by the Bush Administration's CRD Front Office. I went on the coverage and while traveling to Mississippi, the Deputy Chief who was leading that election coverage asked me, ''can you believe that we are going to Mississippi to protect white voters?'' What I observed on that election coverage in Noxubee County was some of the most outrageous and blatant racially discriminatory behavior at the polls committed by Ike Brown and his allies that I have seen or had reported to me in my thirty three-plus years as a voting rights litigator. A description of this wrongdoing is well summarized in Judge Tom bee's opinion in that case, which is reported at 494 F. Supp. 2d 440 (2007) and in the Fifth Circuit Court of Appeals' opinion affirming the judgment and injunctive relief against Mr. Brown and the local Democratic Executive Committee, which is reported at 561 F. 3d 420 (2009).

Sometime, as best I recall, in the winter of 2003–04 I wrote a preliminary memorandum summarizing the evidence we had to that point and made a recommendation as to what action to take in Noxubee County. In that memorandum, I recommended that the Voting Section go forward with an investigation under the VRA and argued that a civil injunction against Ike Brown and the local Democratic Executive Committee was the most effective way of stopping the pattern of voting discrimination that I had observed. I forwarded this memorandum to Joe Rich who was the Chief of the Voting Section at that time. I later found out that Mr. Rich had forwarded the memorandum to the CRD Front Office, but he had omitted the portion of the memorandum in which I discussed why it was best to seek civil injunctive relief in the Brown case. Because I am aware that Mr. Rich and Mr. Hans von Spakovsky have filed conflicting affidavits on this point with this Commission, I believe that I am at liberty to address this issue without violating DOJ privileges.

I want to underscore that my memorandum in which Mr. Rich omitted portions was not the subsequent justification memorandum that sought approval to file the case in Noxubee County, but was a preliminary memorandum that sought permission to go forward with the investigation. Nevertheless, it is my clear recollection that Mr. Rich omitted a portion of my memorandum—a highly unusual act—and that I was later informed by the Division Front Office that Mr. Rich had stated that the omission was because he did not agree with my recommendation that the investigation needed to go forward or that a civil injunction should be sought. Nevertheless, approval to go forward with the investigation was obtained from the Bush Administration CRD Front Office in 2004.

Once the full investigation into Ike Brown's practices commenced, opposition to it by career personnel in the Voting Section was widespread. Several examples will suffice. I talked with one career attorney with whom I had previously worked successfully in a voting case and ask him whether he might be interested in working on the Ike Brown case. He informed me in no uncertain terms that he had not come to the Voting Section to sue African American defendants. One of the social scientists who worked in the Voting Section and whose responsibility it was to do past and present research into a local jurisdiction's history flatly refused to participate in the investigation. On another occasion, a Voting Section career attorney informed me that he was opposed to bringing voting rights cases against African American defendants, such as in the Ike Brown case, until we reached the day when the socio-economic status of blacks in Mississippi was the same as the socio-economic status of whites living there. Of course, there is nothing in the statutory language of the VRA that indicates that DOJ attorneys can decide not to enforce the racial-neutral prohibitions in the Act against racial discrimination or intimidation until socio-economic parity is achieved between blacks and whites in the jurisdiction in which the cases arises.

But with the help of one attorney and one paralegal who was new to the Voting Section, and the support of the CRD Front Office, we were able to investigate and bring suit. By the time the case went into discovery and to trial in 2007, the Bush Administration had hired some attorneys, such as Christian Adams and Joshua Rogers, who did not oppose working on lawsuits of this kind. They and I were able to complete discovery and try the case and win and obtain meaningful injunctive relief, including the removal of Ike Brown from his position as Superintendent of the Democratic Primary elections. However, I have no doubt that this investigation and case would not have gone forward if the decision had been ultimately made by the career managers in the Voting Section when the case was first approved for investigation and then filing.

A regrettable incident occurred during the trial of the case. A young African American who worked in the Voting Section as a paralegal volunteered to work on the Ike Brown case, and he later volunteered to work on the NBPP case. Because of his participation in the Ike Brown case, he and his mother who was an employee in another Section of the CRD were harassed by an attorney in that other Section and by an administrative employee and a paralegal in the Voting Section. I reported this to the Bush Administration CRD Front Office, and the harassment was addressed.

But even after the favorable ruling in the Ike Brown case, opposition to it continued to occur. At a meeting with CRD management in 2008 concerning preparations for the general election, I pointed to the ruling in the Ike Brown case as precedent supporting race-neutral enforcement of the VRA. Mark Kappelhoff, then Chief of the CRD's Criminal Section, complained that the Brown case had caused the CRD problems in its relationship with civil rights groups. Mr. Kappelhoff was

correct in claiming that a number of these groups are opposed to the race-neutral enforcement of the VRA, that they only want the Act enforced for the benefit of racial minorities, and that they had complained bitterly about the Ike Brown case. But of course, what Mr. Kappelhoff had not factored in his criticism of the Brown case was that the primary role of the CRD is to enforce the civil rights laws enacted by Congress, not to serve as a ''crowd pleaser'' for many of the civil rights groups.

Many of those groups on the issue of race-neutral enforcement of the VRA frankly have not pursued the goal of equal protection of law for all people. Instead, many of these groups act, as they did in the Brown case, not as civil rights groups, but as special interest lobbies for racial and ethnic minorities and demand, not equal treatment, but enforcement of the VRA only for racial and language minorities. Such a claim for unequal treatment is the ultimate demand for preferential racial treatment.

When I became Chief of the Voting Section in 2008 and because I had experienced, as I have described, employees in the Voting Section refusing to work on the Ike Brown case, I began to ask applicants for trial attorney positions in their job interviews whether they would be willing to work on cases that involved claims of racial discrimination against white voters, as well as cases that involved claims of discrimination against minority voters. For obvious reasons, I did not want to hire people who were politically or ideologically opposed to the equal enforcement of the voting statutes the Voting Section is charged with enforcing. The asking of this question in job interviews did not ever, to my knowledge, cause any problems with the applicants to whom I ask that question, and in fact every applicant to whom I asked the question responded that he or she would have no problem working on a case involving white victims such as in the Ike Brown case.

However, word that I was asking applicants that question got back to Loretta King. In the spring of 2009, Ms. King, who by then had been appointed Acting AAG for Civil Rights by the Obama Administration, called me to her office and specifically instructed me that I was not to ask any other applicants whether they would be willing to, in effect, race-neutrally enforce the VRA. Ms. King took offense that I was asking such a question of job applicants and directed me not to ask it because she does not support equal enforcement of the provisions of the VRA and had been highly critical of the filing and civil prosecution of the Ike Brown case. From Ms. King's view, why should I ask that question when a response that an applicant would not be willing to work on a case against minority election officials would not in any way, in her opinion, weigh against hiring that applicant to work in the Voting Section.

The election of President Obama brought to positions of influence and power within the CRD many of the very people who had demonstrated hostility to the concept of equal enforcement of the VRA. For example, Mr. Kapplehoff, who had complained in 2008 that the Brown case had caused problems with civil rights groups, was appointed as the Acting Chief of Staff for the entire CRD. And Loretta King, the person who forbid me even to ask any applicants for a Voting Section position whether he or she would be willing to enforce the VRA in a race-neutral manner, was appointed as Acting Assistant Attorney General for Civil Rights.

Furthermore, one of the groups who had opposed the CRD's civil prosecution of Ike Brown case the most adamantly was the NAACP Legal Defense Fund (LDF), through its Director of Political Participation, Kristin Clark. Ms. Clarke has spent a considerable amount of her time attacking the CRD's decision to file and prosecute the Ike Brown case. Grace Chung Becker, the Acting AAG for Civil Rights during the last year of the Bush Administration, and I were involved in a meeting in the fall of 2008 with representatives of a number of civil rights organizations concerning the Division's preparations for the 2008 general election. At this meeting Ms. Clarke spent considerable time criticizing the Division and the Voting Section for bringing the Brown case when, in fact, the district court had already ruled in the case. Indeed, it was reported to me that Ms. Clarke approached an African American attorney who had been working in the Voting Section for only a short period of time in the winter of 2009 before the dismissals in the NBPP case and asked that attorney when the NBPP case was going to be dismissed. The Voting Section attorney to whom I refer was not even involved in the NBPP case. This reported incident led me to believe in 2009 that LDF Political Participation Director, Ms. Clarke, was lobbying for the dismissal of the NBPP case.

CONGRATULATING MS. MADIE TILLMAN

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 28, 2010

Mr. TURNER. Madam Speaker, it is my privilege to acknowledge a hardworking community leader from Ohio's Third Congressional District.

Ms. Madie Tillman was recently honored as a recipient of the ''Living Witness for Christ'' Award at the 64th Annual Convention of the African Methodist Episcopal (AME) Church, Third District Lay Organization. This year's convention was held in Washington, Pennsylvania on July 29–31, 2010.

Each year, the Living Witness for Christ Award recognizes a Lay person for their work in response to God's call for Christian service. It is the highest award given to a Lay person. The award was presented by Bishop C. Garnett Henning, Sr., Presiding Prelate of the Third Episcopal District and Dr. Willie C. Glover, International Lay President.

Ms. Tillman is an active member of the Greater Allen AME Church, located at 1620 West Fifth Street in Dayton, Ohio. She serves on the Trustee Board, the Finance Committee, and is Treasurer of the Lay Organization. She holds positions on the conference and district levels of the Lay Organization of the AME Church. Ms. Tillman is also an active member of the Dayton Alumnae Chapter of Delta Sigma Theta Sorority.

As the widow of a veteran, Ms. Tillman has been a dedicated advocate for veterans and their families through her volunteer work at the Dayton VA Medical Center, and as a member of the General Daniel ''Chappie'' James American Legion Auxiliary, Unit 776, in Riverside, Ohio. She serves as President of both the Midwest Region and the Miami Valley Chapter of the Gold Star Wives of America.

I appreciate this opportunity to recognize a good and compassionate citizen, Ms. Madie Tillman, for her devotion to our community and our Nation's veterans, and I congratulate her on receiving this prestigious award.

HONORING DIVERSE AND RESILIENT, INC.

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 28, 2010

Ms. BALDWIN. Madam Speaker, I rise today to commend Diverse and Resilient, Inc. on their 15 years of success and their critical contributions to the health and well-being of lesbian, gay, bisexual, and transgender, LGBT, organizations, citizens, and their allies.

Diverse and Resilient is a nonprofit public benefit organization that has been vital to the development of public health leadership on behalf of LGBT people in Wisconsin communities for 15 years.

Diverse and Resilient has been a pioneer in the development of community health workers who promote participation in healthy activities, dissuade health risk behaviors, and engage all sectors within the LGBT communities across Wisconsin.

Further, Diverse and Resilient projects and activities are dedicated to building capacity of LGBT individuals, organizations, and their allies to meet the public health needs of Wisconsin's LGBT communities in Madison, Milwaukee, Eau Claire, Appleton, and La Crosse.

I am particularly grateful to Diverse and Resilient for bringing to light the alarming health disparities that exist for LGBT youth and adults through its tireless advocacy to include important demographic questions in national and State health surveys.

This organization has taken leadership in national, State, and local public health planning and fostered partnerships in public health, secondary and post-secondary education, communities of color, healthcare, and advocacy.

I honor the commitment, leadership, and zestfulness of the founding director, Dr. Gary Hollander, the board of directors, the dedicated staff, youth advisors, and community health workers of Diverse and Resilient as they celebrate 15 years of vital contributions to our community.

CELEBRATING THE 50TH ANNIVERSARY OF GODFREY, ILLINOIS LIONS CLUB

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 28, 2010

Mr. COSTELLO. Madam Speaker, I rise today to ask my colleagues to join me in recognizing the 50th Anniversary of the Godfrey, Illinois Lions Club.

The Godfrey Lions Club, chartered in February 1960, has been a model service organization in the Riverbend region of Southwestern Illinois for half a century. As part of The International Association of Lions Clubs, the Godfrey Lions Club is part of a 45,000 club association with 1.35 million members worldwide. The Lions Clubs are known for their work assisting those with vision and hearing impairments and the Godfrey Lions Club has followed that service goal by providing eyeglasses, hearing aids and eye exams to students in the Alton School District.