

that the D.C. budget become operative after 30 calendar days would have large effects on everything from the District's bond rating to its ability to more efficiently manage every function of the D.C. government.

The irony is that the Congress almost never changes the District's locally raised core budget in any case. Even at its most intrusive, Congress has realized that when it comes to the complexities of budget decisions for city agencies, Congress is in foreign territory. This is only one of the reasons that I think members of the House and Senate have been open to the change we propose. I appreciate the support this approach already has received in the Senate.

For years Congress saw the D.C. budget wreck the larger appropriation process for the country. Too often the District appropriation, by far the smallest of all of the appropriations, has been the largest impediment to the entire appropriation process and a major cause of delay. I am especially grateful for the way that Chairman BILL YOUNG worked with me to remove obstacles and often to rescue the D.C. budget altogether. I expect that my good friend, JERRY LEWIS, our new appropriations chair who has often been helpful to me and the city, will want to see the District come smoothly through the process as well. Speaker DENNIS HASTERT and former Speaker Newt Gingrich both have become involved as a last resort, when only they could rescue the locally raised budget from lengthy delays. I very much appreciate that they have always responded when I have asked for their help.

However, the local balanced budget of a great city should not need extraordinary action by House speakers or full appropriation chairs. Despite a national economy that has left states and local jurisdictions on their knees, in recent years the District has balanced its budget without raising taxes and without using its cash reserve funds. Because the Mayor and the City Council have been cautious and conservative in their management of city finances and operations, the District has avoided the budget problems that plague many jurisdictions today.

After more than 200 years of unchanged procedures here in the Congress, the city's record today and the bill we are considering today should be the beginning of improvement of congressional processes in aid of greater efficiency for the D.C. government. Even full city autonomy over its local budget would not

deprive the Congress of the right to make changes by legislation.

Congressional enactment of the Home Rule Act after a century of struggle was a major breakthrough. However, Congress has made no major step toward self-government since 1973. Surely the place to begin is with the city's own budget. Today must mark a long awaited step toward equal citizenship and equal treatment by the Congress. At the very least, the District is owed a Congressional response in kind to the very substantial improvements the city has made in its finances and operations for six years. The way to begin is by matching the District's greater efficiency in managing its finances and operations with the same in our own processes. The way to begin is with budget autonomy.

THE AMERICAN JUSTICE FOR
AMERICAN CITIZENS ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2005

Mr. PAUL. Mr. Speaker, I rise to introduce the American Justice for American Citizens Act, which exercises Congress's Constitutional authority to regulate the federal judiciary to ensure that federal judges base their decisions solely on American Constitutional, statutory, and traditional common law. Federal judges increasing practice of "transjudicialism" makes this act necessary. Transjudicialism is a new legal theory that encourages judges to disregard American law, including the United States Constitution, and base their decisions on foreign law. For example, Supreme Court justices have used international law to justify upholding race-based college admissions, overturning all state sodomy laws, and, most recently, to usurp state authority to decide the age at which criminals becomes subject to the death penalty.

In an October 28, 2003 speech before the Southern Center for International Studies in Atlanta, Georgia, Justice O'Connor stated: "[i]n ruling that consensual homosexual activity in one's home is constitutionally protected, the Supreme Court relied in part on a series of decisions from the European Court of Human Rights. I suspect that with time, we will rely increasingly on international and foreign

law in resolving what now appear to be domestic issues, as we both appreciate more fully the ways in which domestic issues have an international dimension, and recognize the rich resources available to us in the decisions of foreign courts."

This statement should send chills down the back of every supporter of Constitutional government. After all, the legal systems of many of the foreign countries that provide Justice O'Connor with "rich resources" for her decisions do not respect the same concepts of due process, federalism, and even the presumption of innocence that are fundamental to the American legal system. Thus, harmonizing American law with foreign law could undermine individual rights and limited, decentralized government.

There has also been speculation that transjudicialism could be used to conform American law to treaties, such as the U.N. Convention on the Rights of the Child, that the Senate has not ratified. Mr. Speaker, some of these treaties have not been ratified because of concerns regarding their effects on traditional American legal, political, and social institutions. Judges should not be allowed to implement what could be major changes in American society, short-circuit the democratic process, and usurp the Constitutional role of the Senate to approve treaties, by using unratified treaties as the bases of their decisions.

All federal judges, including Supreme Court justices, take an oath to obey and uphold the Constitution. The Constitution was ordained and ratified by the people of the United States to provide a charter of governance in accord with fixed and enduring principles, not to empower federal judges to impose the transnational legal elites' latest theories on the American people.

Mr. Speaker, the drafters of the Constitution gave Congress the power to regulate the jurisdiction of federal courts precisely so we could intervene when the federal judiciary betrays its responsibility to uphold the Constitution and American law. Congress has a duty to use this power to ensure that judges base their decisions solely on American law.

Therefore, Mr. Speaker, I urge my colleagues to do their Constitutional duty to ensure that American citizens have American justice by cosponsoring the American Justice for American Citizens Act.