

citizens with the dubious proposition of having to seek a legislative solution after having won in court. It further requires the impossible task of timing the court decision such that it is issued only after the passage of the legislation in order to be sure that the new law protects them (retroactivity is frowned upon in the House).

The real issues are: Should any legislature ever be deciding the relative merit of any civil dispute over any other civil dispute by creating rapacious tax laws and then establishing exemptions? (As soon as they do so, they create violations of equal protection and access.) Should the government ever be entitled to a share of what a jury has decided is the amount required to restore a plaintiff to equilibrium? (Every dollar taxed on an award is a dollar subtraction from that plaintiff's restoration as determined by a jury after due deliberation over all facts pertinent to the case—justice becomes impossible as a practical and mathematical matter.) Should attorneys' fees be taxed to plaintiffs? (The government is going to tax that amount to the attorney. When the attorney is retained on a contingency basis, both attorney and plaintiff are entering into a transaction that is high risk with no gain for either unless they win at court. And, it is the courts, Congress, and state legislators that set the conditions under which requiring an attorney for any court proceeding is mandated as a practical matter for most citizens.)

If the answer to each of the above questions is "no" (and I think a reasonable man would conclude that is the correct answer for each of question), then the proper legislative response is easy: Define attorneys' fees as belonging to attorneys; and, do away with taxes on awards.

If both of those actions are taken, plaintiffs with bona fide complaints rightfully will enjoy a full measure of restoration to equilibrium as determined by a jury of their peers. Admittedly, that allows for occasionally rewarding miscreants. The alternative ensures penalizing law-abiding citizens who have already suffered.

Adopting the above leaves unsettled how to discourage frivolous cases. There are other ways to do that including award limits, and attorney fee caps. However, the solution cannot and must not include provisions that deny justice and impose further penalties on law-abiding citizens who appeal to their governments.

As these things are contemplated, a figurative call to arms is in order. Taxes imposed on individual citizens across the breadth of the original Thirteen Colonies in our early history were only a fraction of the burden thrust on individual contemporary citizens now carrying these burdens. These unjustly treated citizens already number in thousands; and their numbers will grow rapidly as the effects of the Supreme Court decision become felt.

It is hard to conceive of a single congressional district left unaffected. Corrective action should be swift.

Citizens that must contend with government taxes and tax collecting agencies of the government after prevailing in court are denied justice. Allowing them to negotiate to a reduced amount after the fact is neither justice nor a solution—it is a mockery and refutation of the most fundamental principles which gave birth to our great country and for which patriots gave their lives.

In contemplating concepts of taxing justice, it is appropriate to recall that plaintiffs seek court resolution as an alternative to violence; that they pay in advance for their "day in court" through normal taxes; that in entering the court, they demonstrate tremendous faith in their fellow citizens and

government; that the aim of the court is to return prevailing plaintiffs to equilibrium; and that if plaintiffs are successful, they are entitled to an assumption of having brought a bona fide complaint. To require more is to delay justice, and in that regard, it is well to remember William Gladstone's words: "Justice delayed is justice denied."

Or as Theodore Roosevelt said, "Justice consists not in being neutral between right and wrong, but in finding out the right and upholding it, wherever found, against the wrong." Leaving citizens stranded in bewildering circumstances that destroy the pursuit of happiness and is brought about by poorly thought out government action is wrong. Correcting quickly is right.

CONGRATULATIONS TO THOMAS J. SEMANCHIK

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2005

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate the entire Semanchik Family on Thomas J. Semanchik achieving the rank of Eagle Scout. Thomas is the fifth Semanchik family member to receive the prestigious honor, carrying on the tradition set by his father and three older brothers.

John Semanchik III, Thomas's father, first received the rank of Eagle Scout on January 9th, 1969. He currently is ranked an Eagle Scout with three palms, has been the presiding Scoutmaster of Boy Scout Troop #171 for 10 years and received the Silver Beaver Award, the Boy Scouts of America's highest distinction. Thomas's oldest brother, John Semanchik IV is currently a 3 palm Eagle Scout, after receiving the rank on June 2nd, 1998. Michael Semanchik, currently an Eagle Scout with 6 palms, received the rank June 8th, 1999 while Robert Semanchik became an Eagle Scout with 9 palms on December 3rd, 2002.

The award ceremony will be held June 7th at Ingomar Methodist Church beginning at 6:30 p.m. Sadly, Janet M. Semanchik, the late wife of John and mother of the Semanchik boys will not be able to witness the rank being bestowed on her youngest son. Janet succumbed to cancer in 2003. However, her spirit still lives on in the lives and actions of the Semanchik men. I believe that it is safe to say Janet would be proud of all of her Eagle Scouts.

I ask my colleagues in the United States House of Representatives to join me in honoring the Semanchik family. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute the service of citizens like these men who personify civic pride and who truly make the communities that they live in better.

A TRIBUTE TO DR. DAVID P. SKINNER

HON. ALLEN BOYD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2005

Mr. BOYD. Mr. Speaker, I rise today to commend the exceptional service of Dr. David Skinner to the United States Navy.

Dr. Skinner is retiring at the end of May after more than three decades of service at the Naval Surface Warfare Center Panama City (NSWCPC). Dr. Skinner has served the Navy most recently, with a national focus as the NAVSEA Product Area Director for Littoral Warfare Systems. In this capacity, Dr. Skinner was responsible for all activities in the Naval Surface Warfare Center supporting Navy and Marine Corps' operations in the littoral environment. Systems developed at NSWCPC are currently in service today helping fight the global war on terrorism.

Dr. Skinner's service has played a pivotal role in the development of systems in use today across the NSWCPC mission spectrum. His accomplishments in this leadership role have produced many results including the next generation of modular air and surface mine countermeasures systems, soon to be introduced to the Fleet; (2) Fleet introduction of the Gator Class Swimmer Delivery Vehicle; (3) Fleet introduction of a Landing Craft, Air Cushion (LCAC) with fully integrated fly-by-wire communications suite and craft control system; (4) installation of Fire Fighter Breathing Apparatus systems on all Navy ships and submarines and Coast Guard ships; (5) establishment of, and technical support for the Deployable Joint Command and Control Program Office in Panama City; and (5) unmanned underwater vehicles, computer-aided detection and classification techniques, and electro-optic sensors for mine detection, classification and identification, respectively.

During his career, Dr. Skinner held leadership roles at NSWCPC including Head of the Nonacoustic Division, Deputy Head of the Engineering Test and Evaluation Department, Head of the Submarine Undersea Weapons Defense Program, Head of the Coastal Research and Technology Department, and Executive Director of the Naval Surface Warfare Center Panama City.

Dr. Skinner received the Navy Superior Civilian Service Award in 2001, the Presidential Meritorious Executive Award in 2002, and the NDIA David Bushnell Award in 2005. Dr. Skinner has authored or co-authored more than 30 publications and holds a patent for the Naval Continuous Tone Frequency Modulated Sonar.

A native and resident of Panama City, Florida, Dr. Skinner is also a leader in his community. His activities include working with the youth at Northside Baptist Church and coaching both youth soccer and basketball. Dr. Skinner is also a former ex-officio board member of the Coastal Operations Institute.

I invite my distinguished colleagues to join me in paying special tribute to Dr. Skinner for his invaluable service to the United States Navy. His work has made, and is making, a difference to our troops and our country. He will be deeply missed. We wish him the very best in all his future endeavors.

CONGRATULATIONS, BEAVER UNITED METHODIST CHURCH

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2005

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate the Beaver United Methodist Church of Beaver, Pennsylvania on its 175th anniversary.