

the newspapers, many of which opposed our tax relief, are hesitant to admit that they were wrong, but they should be out there reporting this data, showing the American people that this economy is growing and that jobs are being created.

Mr. Speaker, our philosophy on this side of the aisle is that when you get government out of the way and let the American people in this wonderful free enterprise system go to work, they do it quite well. This great economic news shows that Republicans are on the right side of this argument.

Mr. Speaker, there are a couple of other things I want to say this evening. Last year, former Clinton Security Adviser Sandy Berger stole, that is right, stole classified materials from the National Archives. This is not an accusation. It is fact. He pled guilty. He stole classified material. In the "Sloppy Socks Scandal," Berger stuffed classified materials in his clothing in order to sneak them out of the National Archives building. Democrats, however, never considered this a big deal. In fact, most barely seemed to notice or say anything at all about what had happened.

Today, those same Democrats, who did not blink at Berger's actions, are calling for Karl Rove's head. Now, let us put this in perspective. Sandy Berger devised a plan, got into the archives to view the documents, then he stuffed classified documents in his pants to smuggle them out of the National Archives so that he could destroy the material, and Democrats did not so much as call for an inquiry. Today, the minority leader is calling for President Bush to fire Karl Rove for telling a reporter that they were "barking up the wrong tree."

I hope Americans see this for what it is, a partisan attack launched by a minority leader who cannot get her party to unite around a policy.

#### H.R. 3268, EMINENT DOMAIN TAX RELIEF ACT OF 2005

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

Mr. GINGREY. Mr. Speaker, I rise today as the proud author of H.R. 3268, the Eminent Domain Tax Relief Act of 2005. I also rise to continue the discussion on eminent domain in light of the recent *Kelo v. The City of New London, Connecticut*, decision by the United States Supreme Court.

Within 1 week of the *Kelo* decision, this House demonstrated its commitment to the American people and their property rights through passage of House Resolution 340 by an overwhelming and bipartisan vote. Mr. Speaker, through H. Res. 340, this House condemned the *Kelo* decision and issued a warning that abusive eminent domain will not be tolerated by this Congress.

However, Mr. Speaker, there is more work to be done, and I look forward to

the House's consideration of H.R. 3135, the Private Property Rights Protection Act, introduced by the distinguished chairman of the Committee on the Judiciary, the gentleman from Wisconsin (Mr. SENSENBRENNER). I have proudly joined the chairman in cosponsoring this bill that will codify into statute the principles and concerns that we expressed by House Resolution 340.

Today, though, I would like to press forward in the fight to protect the American people's property rights and to discuss H.R. 3268, the Eminent Domain Tax Relief Act. This bill will ensure tax fairness for all who lose property through eminent domain. The Eminent Domain Tax Relief Act will exempt individuals who lose their homes or businesses by eminent domain from paying capital gains tax on the revenue generated from the forced sale.

Mr. Speaker, there is no question that eminent domain must remain a tool of last resort for the government and a tool employed only for public use. However, while most Americans accept traditional and proper execution of eminent domain for schools, roads, and other expressly public uses, no individual should ever have to pick up the tab with IRS when the government decides to sell his or her own home or business. Mr. Speaker, these individuals did not make the decision to sell their property, and they should not be penalized by the Tax Code for a decision that they did not make.

In the wake of the *Kelo* decision, this Congress, the media, and the collective discussions around American dinner tables across this country have focused upon questions of acceptable uses of eminent domain. Well, the Constitution speaks loud and clear. Eminent domain should only be for public use.

Additionally, the Constitution also requires the government to give just compensation for any taking of private property. Is it just compensation, Mr. Speaker, to send the government wrecking ball and an IRS agent to the same door at the same time? I think not. It is simply unconscionable for the government to add insult to injury by taxing those people who are losing their homes and businesses by no choice of their own.

Often, these individuals have to pay many additional costs when the government condemns their properties. Individuals assume the cost of relocating to somewhere else, and condemned businesses have merchandise that would not only have to be moved but, in many cases, would have to be stored in the interim. Therefore, Mr. Speaker, the government must redouble its efforts to ensure these individuals receive just compensation and are not additionally burdened by the Tax Code.

I encourage all my colleagues to take a good hard look at this legislation. I believe that they will see that it is the right thing to do. There should be no taxation on government condemnation.

Mr. Speaker, I ask all my colleagues to stand firm against this injustice.

Sign on to H.R. 3268, supporting tax relief for all those who pay the price when the government wrecking ball comes.

#### HONORING THE FALLEN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Illinois (Mr. Emanuel) is recognized for 60 minutes as the designee of the minority leader.

Mr. EMANUEL. Mr. Speaker, there are now 1,979 American military personnel who have given their lives in the service of our Nation in both Iraq and Afghanistan. We owe these brave individuals and their families a debt of gratitude that can never be fully repaid.

It is our responsibility to honor the ultimate sacrifice that our men and women in uniform have made while serving our country. We often invoke their sacrifices in general but seldom take the time to thank them individually. In the previous weeks my colleagues and I, from both sides of the aisle, have recognized these individual servicemen and women on the floor of the people's House by reading their names and rank, the names and rank of each servicemember who has fallen in the Iraqi and Afghanistan theatres of war.

Today, approximately 1,700 names have been read. Tonight, we will continue and complete this tribute with the names of our most recent fallen fellow Americans. In the words of President Franklin Delano Roosevelt, each of these heroes stands in the unbroken line of patriots who have dared to die that freedom might live and grow and increase in its blessings.

God bless and keep each of the brave Americans whose memory we honor tonight:

Specialist Francisco G. Martinez  
Lance Corporal Kevin S. Smith  
Specialist Travis R. Bruce  
Corporal Bryan J. Richardson  
Sergeant Isiah J. Sinclair  
Sergeant Lee M. Gumbolt  
Private 1st Class Samuel S. Lee  
Specialist Eric L. Toth  
Sergeant Kenneth L. Ridgley  
Sergeant Kelly S. Morris  
Warrant Officer Charles Wells Jr.  
Sgt. 1st Class Robbie D. McNary  
Corporal Garrywesley Tan Rimes  
Staff Sergeant Ioasa F. Tavae Jr.  
Lance Corporal Tenzin Dengkhim  
Corporal William D. Richardson  
Sgt. James Alexander Sherrill  
Sgt. 1st Class Stephen Kennedy  
Staff Sergeant Christopher W. Dill  
Lance Cpl. Jeremiah Kinchen

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Mr. EMANUEL. The gentleman from Tennessee (Mr. DAVIS).

Mr. DAVIS of Tennessee. Sergeant Javier J. Garcia  
Specialist Glenn J. Watkins  
Specialist Sascha Struble  
Specialist Daniel J. Freeman

Staff Sgt. Romanes L. Woodard  
 Major Edward J. Murphy  
 PFC Pendelton L. Sykes II  
 Specialist Michael K. Spivey  
 Staff Sgt. Charles R. Sanders Jr.  
 Lance Corporal Juan C. Venegas  
 Staff Sgt. Kevin Dewayne Davis  
 PFC Casey M. LaWare  
 Specialist Manuel Lopez III  
 Specialist John W. Miller  
 Corporal Tyler J. Dickens  
 Corporal Michael B. Lindemuth  
 Captain James C. Edge  
 Specialist Aleina Ramirezgonzalez  
 Specialist Randy Lee Stevens  
 Sergeant Tromaine K. Toy Sr.  
 Sergeant Angelo L. Lozada Jr.  
 Private Aaron M. Hudson  
 Private Joseph L. Knott  
 Private 1st Class Steven F. Sirko  
 Major Steven W. Thornton  
 Private 1st Class Sam W. Huff  
 PFC Kevin S. K. Wessel  
 Specialist Jacob M. Pfister  
 Lance Cpl. Marty G. Mortenson  
 Corporal Kelly M. Cannan  
 PFC Robert A. "Bobby" Guy  
 PFC Gavin J. Colburn  
 Private Robert C. White III  
 Sergeant Anthony J. Davis Jr.  
 Seaman Aaron A. Kent  
 Corporal Kevin William Prince  
 Specialist Robert W. Defazio  
 Specialist Gary W. Walters Jr.  
 1st Sergeant Timmy J. Millsap  
 Sgt. 1st Class Allen C. Johnson  
 Mr. EMANUEL. The gentleman from Illinois (Mr. SHIMKUS).  
 Mr. SHIMKUS. Specialist David L. Rice  
 Corporal Joseph S. Tremblay  
 PFC Robert W. Murray Jr.  
 Specialist Ricky W. Rockholt Jr.  
 1st Lieutenant William A. Edens  
 Sergeant Eric Wayne Morris  
 Sergeant Timothy Craig Kiser  
 Private Charles S. Cooper Jr.  
 PFC Darren A. Deblanc  
 Captain Ralph J. "Jay" Harting III  
 Captain Stephen W. Frank  
 2nd Lt. Clifford V. Gadsden  
 Sergeant Kenya A. Parker  
 S. Sgt. Juan de Dios Garcia-Arana  
 Specialist Derrick Joseph Lutters  
 Captain Kelly C. Hinz  
 Major John C. Spahr  
 Staff Sergeant Tommy S. Little  
 Sergeant John E. McGee  
 Staff Sergeant William J. Brooks  
 Sergeant Stephen P. Saxton  
 Sergeant Michael A. Marzano  
 Sergeant Aaron N. Cepeda Sr.  
 Lance Cpl Lance Tanner Graham  
 PO 3rd Class Jeffery L. Wiener  
 Lance Corporal Michael V. Postal  
 Lance Corporal Nicholas C. Kirven  
 Corporal Richard P. Schoener  
 Lance Cpl. Lawrence R. Philippon  
 Corporal Dustin A. Derga  
 Specialist Steven Ray Givens  
 Staff Sergeant Thor H. Ingraham  
 PFC Nicolas E. Messmer  
 Sgt. Gary A. "Andy" Eckert Jr.  
 Lance Corporal Marcus Mahdee  
 Lance Cpl. Taylor B. Prazynski  
 PFC Stephen P. Baldwyn  
 Staff Sgt. Anthony L. Goodwin  
 1st Sergeant Michael J. Bordelon

Staff Sgt. Samuel Tyrone Castle  
 Mr. EMANUEL. The gentleman from New York (Mr. BISHOP).  
 Mr. BISHOP of New York. 1st Lt. Michael J. Fasnacht  
 Captain Phillip T. Esposito  
 1st Lieutenant Louis E. Allen  
 Sergeant David Joseph Murray  
 Corporal Brad D. Squires  
 Lance Cpl. Devon Paul Seymour  
 Lance Cpl. Thomas O. Keeling  
 Lance Corporal Daniel Chavez  
 Lance Corporal Dustin V. Birch  
 Staff Sergeant Mark O. Edwards  
 Sgt. 1st Class Victor H. Cervantes  
 Lance Cpl. Mario Alberto Castillo  
 Lance Corporal Andrew J. Kilpela  
 Specialist Casey Byers  
 Sergeant 1st Class Neil A. Prince  
 Sergeant Larry R. Arnold Sr.  
 Specialist Terrance D. Lee Sr.  
 Corporal Stanley J. Lapinski  
 Specialist Anthony D. Kinslow  
 Sergeant Larry R. Kuhns Jr.  
 Lance Corporal John J. Mattek, Jr.  
 Sergeant Anthony G. Jones  
 PFC Nathan B. Clemons  
 PFC Joshua P. Klinger  
 PFC Michael Ray Hayes  
 PO 2nd Class Cesar O. Baez  
 Lance Corporal Chad B. Maynard  
 Lance Corporal Dion M. Whitley  
 Corporal Tyler S. Trovillion  
 Corporal Jesse Jaime  
 Lance Cpl. Jonathan R. Flores  
 Staff Sgt. Christopher N. Piper  
 Captain John W. Maloney  
 Lance Corporal Erik R. Heldt  
 Specialist Anthony S. Cometa  
 Sgt. 1st Class Michael McNulty  
 Lance Corporal Adam J. Crumpler  
 Corporal William A. Long  
 1st Lieutenant Noah Harris  
 Sergeant 1st Class Victor H. Cervantes  
 Lieutenant Michael P. Murphy, a constituent of mine.  
 Mr. EMANUEL. The gentlewoman from New York (Mrs. McCARTHY).  
 Mrs. McCARTHY. Lance Cpl. John T. Schmidt III  
 Lance Corporal Jourdan L. Grez  
 Lance Cpl. Jonathan Walter Grant  
 Lance Corporal Nicholas B. Erdy  
 PFC Christopher R. Dixon  
 Lance Corporal Wesley G. Davids  
 Staff Sergeant Kendall H. Ivy II  
 PFC Kenneth E. Zeigler II  
 Sergeant Andrew R. Jodon  
 Sergeant John M. Smith  
 PFC Travis W. Anderson  
 Sergeant Charles C. Gillican III  
 Sergeant Jacob M. Simpson  
 Private 1st Class Wesley R. Riggs  
 Sgt. Antwan L. "Twan" Walker  
 Sergeant Robin V. Fell  
 Specialist Bernard L. Sembly  
 PFC Wyatt D. Eisenhauer  
 Sergeant Brad A. Wentz  
 Sergeant Kurt D. Schamberg  
 Corporal Steven Charles Tucker  
 Sergeant Charles T. Wilkerson  
 Sergeant Kenneth J. Schall  
 1st Lieutenant Aaron N. Seesan  
 Specialist Tyler L. Creamean  
 Sergeant Benjamin C. Morton  
 Sergeant John B. Ogburn III  
 Sergeant Carl J. Morgain

Private 1st Class Kyle M. Hemauer  
 Staff Sergeant Russell J. Verdugo  
 Specialist Joshua T. Brazee  
 Sergeant Christopher S. Perez  
 Sergeant Daniel Ryan Varnado  
 Specialist Bryan Edward Barron  
 Specialist Audrey Daron Lunsford  
 Staff Sergeant Saburant Parker  
 Sgt. 1st Class Randy D. Collins  
 Sergeant 1st Class Peter J. Hahn  
 PFC Jeffrey R. Wallace  
 Specialist Dustin C. Fisher  
 Mr. EMANUEL. The gentleman from Connecticut (Mr. SHAYS).  
 Mr. SHAYS. Sergeant Charles A. "Chuck" Drier  
 Sergeant David Neil Wimberg  
 Sergeant Alfred Barton Siler  
 Major Ricardo A. Crocker  
 Sergeant Mark A. Maida  
 CWO 2 Joshua Michael Scott  
 CWO 4 Matthew Scott Lourey  
 Lt. Colonel Albert E. Smart  
 Specialist Phillip N. Sayles  
 1st Sergeant Michael S. Barnhill  
 Staff Sergeant Victor M. Cortes III  
 Corporal Jeffrey B. Starr  
 Staff Sergeant Casey Crate  
 Captain Derek Argel  
 Captain Jeremy Fresques  
 Major William Downs  
 Sergeant Miguel A. Ramos  
 SFC Steven M. Langmack  
 PFC Class Louis E. Niedermeier  
 Staff Sergeant Virgil R. Case  
 Specialist Phillip C. Edmundson  
 Captain Charles D. Robinson  
 Staff Sergeant Leroy E. Alexander  
 Civilian—Linda J. Villar  
 Corporal Antonio Mendoza  
 PFC Brian Scott "Scotty" Ulbrich  
 Specialist Eric J. Poelman  
 Staff Sergeant Justin L. Vasquez  
 Colonel Theodore S. Westhusing  
 Specialist Carrie L. French  
 Specialist Brian M. Romines  
 Lance Corporal Jonathan L. Smith  
 Lance Corporal Robert T. Mininger  
 Lt. Colonel Terrence K. Crowe  
 Specialist Eric T. Burri  
 PFC Emmanuel Hernandez  
 Sergeant Michael J. Kelley  
 PFC Douglas E. Kashmer  
 Sergeant Roberto Arizola Jr.  
 Lance Cpl. Marc Lucas Tucker  
 Mr. EMANUEL. The gentleman from Kentucky (Mr. CHANDLER).  
 Mr. CHANDLER. Staff Sergeant Christopher N. Piper  
 Lance Corporal Adam J. Crumpler  
 Private 1st Class Christopher R. Kilpatrick  
 Specialist Brian A. Vaughn  
 Specialist Christopher L. Hoskins  
 Specialist Nicholas R. Idalski  
 Sergeant James D. Stewart  
 Major Duane W. Dively  
 Sergeant Arnold Duplantier II  
 Petty Officer 1st Class Regina R. Clark  
 Corporal Ramona M. Valdez  
 Lance Corporal Veashna Muy  
 Lance Corporal Holly A. Charette  
 Corporal Chad W. Powell  
 Sergeant 1st Class Christopher W. Phelps  
 Sergeant Joseph M. Tackett  
 Corporal Carlos Pineda

Specialist Charles A. Kaufman  
 Chief Warrant Officer Keith R. Mariotti  
 Chief Warrant Officer Steven E. Shepard  
 2nd Lieutenant Matthew S. Coutu  
 Petty Officer 2nd Class Danny P. Dietz  
 Petty Officer 1st Class Jeffrey S. Taylor  
 Petty Officer 2nd Class James Suh  
 Petty Officer 2nd Class Eric Shane Patton  
 Lieutenant Michael M. McGreevy Jr.  
 Petty Officer 1st Class Jeffery A. Lucas  
 Lieutenant Commander Erik S. Kristensen  
 Senior Chief Petty Officer Daniel R. Healy  
 Chief Petty Officer Jacques J. Fontan  
 Chief Warrant Officer Chris J. Scherkenbach  
 Sergeant 1st Class Michael L. Russell  
 Major Stephen C. Reich  
 Master Sergeant James W. "Tre" Ponder III  
 Sergeant 1st Class Marcus V. Muralles  
 Sergeant Kip A. Jacoby  
 Chief Warrant Officer Corey J. Goodnature.

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Staff Sergeant Shamus O. Goare  
 Specialist Rafael A. Carrillo, Jr.  
 Mr. EMANUEL. Sergeant Manny Hornedo  
 Specialist Robert E. Hall Jr.  
 Signaller Paul William Didsbury  
 Sergeant Chad M. Mercer  
 Staff Sergeant Jeremy A. Brown  
 Specialist Ryan J. Montgomery  
 Private Anthony M. Mazzarella  
 Corporal Lyle J. Cambridge  
 Staff Sergeant Scottie L. Bright  
 Specialist Christopher W. Dickison  
 Sergeant Deyson K. Cariaga  
 Specialist Hoby F. Bradfield Jr.  
 Private 1st Class Eric Paul Woods  
 Staff Sergeant Joseph P. Goodrich  
 Lance Corporal Ryan J. Kovacicek  
 Sergeant Timothy J. Sutton  
 Specialist Benyahmin B. Yahudah  
 Corporal Christopher D. Winchester  
 Corporal Clifton Blake Mounce  
 Staff Sergeant Tricia L. Jameson  
 Private First Class Timothy J. Hines, Jr.

Specialist Jared D. Hartley  
 Staff Sergeant Ronald T. Wood  
 Sergeant Travis S. Cooper  
 Specialist Ronnie D. Williams  
 Staff Sgt. Frank Tiai.

Mr. Speaker, I would like to thank the distinguished Members from both sides of the aisle who have participated in this tribute and honor, which took 3 nights over the last 2 weeks to read into the CONGRESSIONAL RECORD and to the people's House.

I would also like to take this opportunity, on behalf of my colleagues, to thank the brave men and women who continue to serve our Nation in Iraq, Afghanistan, and throughout the world and serve with distinction. Our

thoughts and prayers are with them and their families at this time until they come together.

In the words of President Franklin Delano Roosevelt, I again would like to cite: Each of these heroes "stands in the unbroken line of patriots who have dared to die that freedom might live, and grow and increase its blessings."

A number of our colleagues have stumbled over names. I hope those families understand that, although we struggled with their names, we honor their service. These pictures are outside my office and outside other Members' offices, all 1,900, and with the names that we see here, we will add, as the pictures are made available, to always remember that their sons and daughters, their husbands and wives, their brothers and sisters and their aunts and uncles, when called to serve, they served, and they gave their ultimate sacrifice.

May we always remember them, their names, and their faces. God bless them and God bless America.

#### OUR SOLDIERS IN THE WAR ON TERROR

The SPEAKER pro tempore (Mr. POE). Under the Speaker's announced policy of January 4, 2005, the gentleman from Kentucky (Mr. DAVIS) is recognized for 60 minutes as the designee of the majority leader.

Mr. DAVIS of Kentucky. Mr. Speaker, it is a great honor and a great privilege to be here this evening. In the hour before I began to speak, we heard the names of young men and women who have shed their blood in the defense of this country. It is a sober business that we are about, a serious business and a critical business.

As I have talked to hundreds of soldiers serving in Afghanistan, in Iraq, those coming back, those that I have spoken to in theater, they share one clear message, and that is that we have got to stay the course and finish a mission that they believe that we are winning and the only thing between ultimate victory and ultimate defeat is the will and the resolve of the American people.

I believe that it is critically important that we hear their story and their perspective. Every soldier, every marine that I have talked to, every airman that I have spoken to in the last 6 months, many whom I brought into this Chamber, have shared with me their dismay, their disappointment, and, yes, even their disgust, Mr. Speaker, over the way the liberal media has misportrayed the actions of our men and women in the Middle East, have misportrayed the successes, have not reported those successes and have gone for tabloid spectacular attacks of what all the folks on the ground believe is a strategically irrelevant, though still dangerous, insurgency.

Our military is winning. The Afghan people and the Iraqi people are beginning to taste freedom and are standing up.

And I think it is important in this time tonight to bring to perspective some of the units in the words of some of the people who are participating in the actions right now. It is easy to stand in this Chamber and take a position for or against the war because we are living 10,000 miles away. For those of us who have carried a rucksack and lived in the mud or lived the desert, it brings back many memories. I have seen classmates of mine from the military academy who died in service to this Nation, buried. I know many friends who have been lost. In fact, 3 weeks ago I stood at a grave site in the Arlington National Cemetery as a member of America's premier counterterrorism force was buried. All around us, as we were going through these sober and grievous moments of remembering a man's life and country to this country, as his casket was lowered into the ground, as the mournful wail of Taps played over the cemetery, people went to and fro. There were cars on the expressway as I came back to Capitol Hill, and what did I see? People going throughout their lives oblivious to the tremendous sacrifices that are being made by our soldiers, sailors, airmen, and marines on the other side of the world so that we would be safe at home.

I had a great privilege with several of my colleagues to lead a delegation into Southwest Asia over the July 4 recess. In many senses it was a reunion, seeing friends that I had known from the army, in some cases people I had been acquainted with on active duty 29 years ago.

I would like to begin tonight by sharing a poignant e-mail. I traveled with the delegation to Kuwait. We will talk about that in a few moments. We moved to Baghdad in Iraq, visiting with units there and the command there, on to Kyrgyzstan with our men and women of the Air Force, maintaining the logistics in the transit center in Bishkek and Manas Air Base, finally down to Kabul, and then we flew 150 miles low level by helicopter to what I believe is a wonderful and stellar example of America's soldiers doing what they do best, advancing the cause of freedom, protecting us here at home and representing the values of this great Nation.

So often the press nationally wants to point to the negative, to the ½ of 1 percent that underperform or do not necessarily live up to the good name of this country. They totally neglect the carnage, the terror, the inhumanity, the kleptocracies that rob people of hope and opportunity and freedom. They do not tell the soldiers' stories. And one of the things I would like to begin with tonight is from that visit. We flew into Forward Operating Base Sharona and Paktika Province, where one of the great unsung stories of the War on Terror, really the war on Islamic extremists, is taking place.

I want one thing to be clear for the record and for those who are watching