

Franklin County Prosecutor Ron O'Brien had suggested that Mr. Damschroder be fired. He would not confirm yesterday that an investigation was under way.

According to Mr. Damschroder, political consultant Pasquale "Pat" Gallina, who works for consultants Celebrezze & Associates, walked uninvited into his office in January, 2004, on the day the board was considering a contract for voter-registration software. He offered to make out a check to him on the spot.

Mr. Damschroder said he instead accepted a "voluntary" contribution to the county GOP. A former executive director for the party, Mr. Damschroder accepted the check even though the law prohibits using government property for political business.

"I don't believe I committed a crime," he said. "I think I did something that would best be described as a lapse of judgment and clearly in the gray area . . . The biggest thing I wish I had done was throw the guy out on that day he came in and certainly not have taken physical receipt of the contribution."

The county has joined the ES&S lawsuit, which seeks to break Diebold's monopoly on touch-screen machines available to counties.

Celebrezze & Associates is on a monthly retainer for Diebold.

"Any contribution he made was on behalf of Celebrezze & Associates and of his own volition," said Diebold spokesman Mike Jacobsen. "Diebold had no knowledge of any such contribution.

"Diebold does not condone any political contributions made on its behalf, implied or otherwise," he said. "In particular, our company's ethics policy restricts political contributions since June, 2004."

That policy was, in part, a reaction to a letter authored by Walden O'Dell, chief executive officer of Diebold, Inc., of North Canton, Ohio. In the letter, Mr. O'Dell promised to help deliver Ohio to President George Bush, triggering a firestorm during the presidential election campaign.

The Lucas County Board of Elections has selected Diebold to supply its touch-screen machines. A review of filings with the county elections bureau by the county Republican and Democratic parties revealed no contributions from Mr. Gallina.

In a phone conversation that took place a year after the contribution to the party, Mr. Damschroder said Mr. Gallina bragged that he had been given \$50,000 to Blackwell interests and worked with Blackwell campaign adviser Norm Cummings to position Diebold for state business.

"I have never asked, accepted, received, or was offered any money [from Mr. Gallina], period," Mr. Cummings said.

Mr. Gallina, of Reynoldsburg, could not be reached for comment, but he told the Associated Press there was no \$50,000 contribution for Mr. Blackwell and that the \$10,000 to the county party was his own money.

Mr. Gallina has given a total of \$8,000 to Mr. Blackwell's campaigns since 1998, according to records filed with the secretary of state. Also in January, 2004, he gave \$10,000 to Citizens for Tax Reform, a Blackwell-backed group that unsuccessfully sought to force repeal of a temporary penny-on-the-dollar sales-tax surcharge enacted in 2003.

Blackwell spokesman Carlo LoParo said Mr. Blackwell made several decisions adverse to Diebold, negotiating contracts at first with four manufacturers of touch-screen and optical-scan voting machines to give counties a menu from which to choose.

Later, after lawmakers enacted the requirement for the voter-verified paper audit trail, Mr. Blackwell took all touch-screen devices, including Diebold's, off the table because none had been certified as meeting the new mandate.

Mr. Blackwell later reversed position when Diebold's receipt-equipped machine won federal and state approval.

"It wasn't the secretary of state who forwarded the VVPAT requirement," Mr. LoParo said. "It wasn't the secretary of state who prevented vendors from meeting that requirement. From the beginning, this process has been transparent and fair."

Sen. Teresa Fedor (D., Toledo) yesterday urged U.S. Attorney Gregory White to investigate Mr. Blackwell's dealing with Diebold.

"We need to get to the bottom of this," she said. "I don't care if it was \$50,000 or \$5, you're not supposed to be able to buy influence in America."

Mr. Damschroder said the loss of 30 days' pay will cost him \$11,220. William Anthony, Jr., chairman of the Franklin County elections board and that county's Democratic Party, said the board believes there was no criminal intent on Mr. Damschroder's part.

As for Mr. Gallina, Mr. Anthony said, "If somebody gives you a check for \$10,000, I guess they would want something."

THE OHIO STATE SENATE,
Cleveland, Ohio, June 18, 2005.

GREGORY WHITE, Esq.,
Assistant U.S. Attorney, Office of the U.S. Attorney, Cleveland, Ohio.

DEAR ATTORNEY WHITE: I am contacting you to ask that you be in a formal investigation of Ohio Secretary of State J. Kenneth Blackwell and his cabinet regarding possible violations of the federal law, including, but not limited to, The Hobbs Act, 18 U.S.C. Sec. 1951. Questions have been raised by both The Columbus Dispatch and The Cleveland Plain Dealer regarding possible improper dealings between the Secretary of State's office and Diebold Election Systems and/or their agents.

The Hobbs Act was meant to prohibit corruption by elected officials. As you know, the Act prohibits "obtaining the property from another, with his consent . . . under color of official right." 18 U.S.C. Sec. 1951(b)(2). The United States Supreme Court has held that an elected official violates the Hobbs Act if the "public official has obtained a payment to which he was not entitled, knowing that the payment was made in return for official acts." *Evans v. United States*, 112 S. Ct. 1881, 1889 (1992). The Court went on to say that "the offense is completed at the time when the public official receives a payment in return for his agreement to perform specific official acts; fulfillment of the quid pro quo is not an element of the offense." *Id.*

According to Franklin County Board of Elections Executive Director Matthew Damschroder, officials or agents of Diebold Election Systems, including lobbyist Pasquale Gallina, allegedly made a deal with Secretary of State Blackwell, and/or his associates, that Diebold would receive a substantial or exclusive rights to supply electronic voting machines to the State of Ohio in exchange for a substantial donation to "Blackwell's political interests." If this is, in fact, what happened, it appears to be a clear violation of federal law. Even if no quid pro quo existed, Mr. Gallina's alleged \$10,000 payment to "Citizens for Tax Repeal," of which Blackwell is Honorary Chair, raises significant conflict of interest questions.

Because of the gravity of these "pay-to-play" allegations, I urge your office to fully investigate to determine whether Mr. Blackwell violated federal law by accepting campaign contributions in exchange for official acts. This immediate investigation is necessary to fully protect the taxpayers of Ohio and the sanctity of government procurement in the State. If these allegations are true, no business in the country can

trust that they will have fair dealings with Ohio. Thank you for your attention to this important matter and please do not hesitate to contact me with any questions or concerns you may have.

Sincerely,

TERESA FEDOR,
State Senator, 11th District.

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

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

JOE WILSON

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

Mr. GOHMERT. Mr. Speaker, in the last few weeks, once again, there has been no shortage of a man named Mr. Joe Wilson on television. Who is Mr. Joe Wilson? Why would he want to use false claims to attack this Bush administration?

Mr. Joe Wilson endorsed Senator JOHN KERRY in October of 2003. According to media sources, Mr. Joe Wilson contributed \$2,000 to the Kerry campaign in the same year. The Boston Globe has reported that Mr. Wilson spoke to the Kerry campaign at least once a week during the campaign.

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Well, he himself has even said that he advised the Kerry campaign on foreign policy. So now this Kerry supporter and adviser is on television pointing fingers at the administration he despises.

Now, during my tenure as a judge, credibility of witnesses could usually be judged by seeking to learn if the witness had a bias. Obviously this witness has quite a bias. It has also been reported that he and his wife supported Albert Gore for President against George W. Bush in 2000. The motive for bias seems to deepen.

The press has reported Mr. Joe Wilson was, in fact, the last U.S. diplomat to meet with Saddam Hussein in 1991. He was also the envoy sent to Africa to investigate reports that the Iraqi President had tried to buy nuclear material there. Was it possible he hated President Bush so much that it got in the way of his ability to assess the facts and actions and motives of his old acquaintance, Mr. Saddam Hussein?

Perhaps his intentions were loyal to the security of the United States in 1991, but if that is the case, while serving as an official envoy to Niger, as he claims, it appears he brazenly spoke out publicly against our own administration.

The Senate Intelligence Committee found that Mr. Wilson's report, "rather than debunking intelligence about purported uranium sales to Iraq, actually

bolstered the case for most intelligence analysis." So now it appears that, like his favorite former presidential candidate, Mr. Wilson is flip-flopping.

The typically softspoken Senator PAT ROBERTS, chair of the Senate Select Committee on Intelligence, was harsh in his condemnation. "Time and again Joe Wilson told anyone who would listen that the President had lied to the American people, that the Vice President had lied and that he had debunked the claim that Iraq was seeking uranium from Africa. Not only did he not debunk the claim he actually give some intelligence analysts even more reason to believe that it may be true." ROBERTS went on to say that it was important for the Intelligence Committee to declare that much of what Wilson said had no basis in fact.

Contrary to what he has said publicly, Mr. Wilson's wife, a CIA employee, did recommend him to serve as envoy in 2002.

It appears obvious that neither Mr. Wilson nor his wife had conducted themselves properly in the best interest of this country. Why would a former ambassador privately report inaccurate facts about Iraqi officials potential dealings with business men in Niger? Why would his wife float his name to serve as envoy on this trip if they wanted to stay out of the public eye?

I have come to know people after they retired from being covert agents of the government. It seems that the best covert agents are the kind of people who go into a room, and when you look around that room, you do not notice them. They blend in. They keep their names off lists so they do not make contributions, especially to political figures. They keep a low profile. They certainly avoid having their picture put in popular magazines. It really appears that the Wilsons' disdain for this administration will likely go down as one of the greats in history. But they have been so blinded to something we would call the truth.

Some of our colleagues across the aisle and Senate Democrats down the hall have embraced this man on little credibility in efforts to harm this administration that is determined to protect us from evil men with evil motivations desiring to destroy our way of life. Their rhetoric is based on two news stories—both of which appear to exonerate Rove.

The facts are simple:

Joe Wilson said the Vice President sent him to Niger and that his report was shown to the Vice President.

The Senate Select Committee on Intelligence confirmed that Rove was right and Wilson was wrong: The Vice President didn't send Wilson anywhere.

Karl Rove then discouraged a reporter from writing a false story that was based on a false premise promulgated by a lying or blindly prejudiced Mr. Joe Wilson.

The main questions now on the matter should be what else has Joe Wilson lied about and why is anyone putting him on television?

Perhaps if recommending a blindly prejudiced man to go to Niger to do critical research for our country is any indication as to Mr. Wilson's wife's judgment, then maybe it is a good thing she has not been trying to be covert for several years.

A FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has agreed to without amendment concurrent resolutions of the House of the following titles:

H. Con. Res. 202. Concurrent resolution permitting the use of the Rotunda of the Capitol for a ceremony to honor Constantino Brumidi on the 200th anniversary of his birth.

H. Con. Res. 212. Concurrent resolution to correct technical errors in the enrollment of the bill H.R. 3377.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested.

S. 544. An act to amend title IX of the Public Health Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely effect patient safety.

The message also announced that the Senate has agreed to a concurrent resolution of the following title in which concurrence of the House is requested:

S. Con. Res. 212. Concurrent resolution to correct technical errors in the enrollment of the bill H.R. 3377.

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

(Mr. SCHIFF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Mr. PALLONE. Mr. Speaker, I ask unanimous consent to take the time of the gentleman from California (Mr. SCHIFF).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

31ST ANNIVERSARY OF TURKEY'S ILLEGAL OCCUPATION OF CYPRUS

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

Mr. PALLONE. Mr. Speaker, yesterday July 20 marked the 31st anniversary of an illegal and inexcusable act by Turkey. Thirty-one years ago yesterday Turkish military forces illegally invaded Cyprus, forcing nearly 200,000 Greek Cypriots from their homes. And these Greek Cypriots became refugees in their own country and have remained refugees for the past 3 decades.

Mr. Speaker, the U.N. Security Council resolved in both 1974 and 1975 that the Turkish occupiers had to facilitate the safe return of all refugees to their homes. For 31 years, Turkish-Cypriot leader Rauf Denktash has defiantly refused to abide by these U.N. resolutions.

Furthermore, in December of 1996 the European Court of Human Rights ruled that refugee Titina Loizidou be given access to her property in the occupied territory. And once again this court ruling was met with defiance from the Turkish occupiers.

After waiting for 2 years for Turkey to comply, Loizidou then went back to the European Court again and this time asking that the Turkish government compensate her for the property. The European Court ruled the Turkish government should pay Loizidou 458,000 Cyprus pounds. And it has now been 7 years and the Turkish government still refuses to comply.

Mr. Speaker, Turkey's intransigence is unacceptable and must come to an end. Earlier this year I joined the gentleman from Florida (Mr. BILIRAKIS) and the gentlewoman from New York (Mrs. MALONEY), the co-chairs of the Congressional Caucus on Hellenic Issues, in introducing legislation that would put this House on record in support of the European Court's decisions and expressing our desire that the Court hear more cases regarding illegal seizures of Cypriot property by the Turkish Cypriot regime. Turkey's refusal to comply with these court decisions should not go unnoticed by this House, and that is why it is important that we pass this important resolution.

Mr. Speaker, Cypriot-Americans are among the refugees that are being denied access to their property by Turkey. Since these Americans cannot return to their illegally seized property, I believe these Cypriot-Americans should be allowed to seek financial remedies with either the current inhabitants of their land or the Turkish government itself.

So earlier this year I introduced the bipartisan American Owned Property in Occupied Cyprus claims Act. The legislation authorizes the President to initiate a claims program under which the claims of U.S. nationals who Turkey has excluded from their property can be judged before the Foreign Claims Settlement Commission. If this commission determined that Cypriot-Americans should be compensated for their property, negotiations would then take place between the United States and Turkey to determine the proper compensation. My legislation would also empower U.S. District courts to hear causes of action against either the individuals who now occupy those properties or the Turkish government.

Passage of this legislation is particularly crucial today as reports show sharp increases in the number of unlawful investments of occupied properties and a construction boom on land