

elimination of the Purchaser Road Credit Program is a good first step toward bringing an end to subsidies for the timber companies at the trough of the federal timber program.

The Furse amendment transfers funds from the timber sales program and puts them where all Americans can reap the benefits—in environmental restoration and improved recreational management. In the words of the Chief of the U.S. Forest Service: If we are to redeem our claim to be the world's foremost conservation leader, our job is to maintain and restore ecological and socially important environmental values . . . Values such as wilderness and roadless areas, clean water, protection of rare species, old growth forest, naturalness—these are the reasons most Americans cherish their public lands.

Now is the time to build on that concept and the momentum of eliminating the Purchaser Road Credit Program by eliminating all subsidies for the federal timber program. Let's put an end to this corporate handout. I urge my colleagues to vote in favor of the Furse amendment.

STARR NOW OBJECTS TO AN
INVESTIGATION OF HIMSELF

HON. JOHN CONYERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 1998

Mr. CONYERS. Mr. Speaker, I rise today to discuss the reported resistance by Independent Counsel Starr to Chief District Court Judge Johnson's decision to begin an investigation of whether Mr. Starr leaked grand jury materials to the press in violation of federal law. Rather than obey that judge's order, Mr. Starr apparently has filed an unusual motion to prevent her order from going into effect until such time as he can be heard before the D.C. Court of Appeals.

The central issue appears to be whether Mr. Starr will be forced to comply with Judge Johnson's order that President Clinton's lawyers be allowed to participate in the questioning of members of the Independent Counsel's office concerning the alleged leaks. We have not yet been informed of exactly why Mr. Starr is so concerned about direct questioning of his staff by the President's lawyers concerning alleged violations of federal law.

Judge Johnson's decision to permit such questioning is, however, fully justified by Mr. Starr's prior misleading statements on the issue of whether his office was the source of leaks. Mr. Starr has previously stated that leaks were "prohibited" in his office and that he had "no reason to suspect" that anyone in his office may have been the source of reports about his investigation. Later, of course, as we all now know, Mr. Starr admitted that his office speaks frequently with reporters, but that these contacts do not fall within his narrow definition of a "leak."

Mr. Starr's resistance to standard truth-seeking measures such as adversarial questioning is blatantly hypocritical in light of his numerous public statements suggesting that the White House and others are improperly obstructing his investigation simply because they ask courts to balance important private and governmental interests against Mr. Starr's apparently boundless interest in new inves-

tigative leads. Now that Mr. Starr has apparently found some interests of his own that he believes justify limiting an important part of a proposed criminal investigation, will Mr. Starr now concede that asking a court to evaluate a privilege is an appropriate response to a criminal investigation?

Assuming that Mr. Starr is unwilling to make this concession, will he then ask himself the same question he asked during his recent speech to the bar association in North Carolina? In that memorably inappropriate attack on the President by the Independent Counsel, Mr. Starr self-righteously posed the following question:

At what point does a lawyer's manipulation of the legal system become an obstruction of the truth?

Witnessing Mr. Starr's own legal manipulations this week, I am forced to ask my own question: What does Mr. Starr have to hide? Mr. Starr should live up to his own rhetoric, stop resisting Judge Johnson's order and allow a credible investigation to proceed into these significant allegations of serious wrongdoing.

TRIBUTE TO DALE VANDER BOEGH

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 1998

Mr. WELLER. Mr. Speaker, I rise today to recognize and honor Mr. Dale Vander Boegh as he retires from his post as chief of the Manhattan Volunteer Fire Department in Manhattan, Illinois. Mr. Vander Boegh's outstanding service to his community exceeds 50 years on the volunteer fire department, including 30 years as the chief.

Dale, known as Chubb to his family and friends, has set an example through his dedication to his community and neighbors that few of us can comprehend. For nearly fifty-two years, Dale made himself available at all hours of the day and night to fight a dangerous fire or offer help to anyone in need. Remarkably, Dale even kept the fire department's emergency telephone in his family's home for many years.

By all means, there are many families in Manhattan and throughout Will County who are eternally thankful for Dale's leadership and heroic efforts. One can only imagine the number of lives and properties Dale has saved throughout his service.

Mr. Speaker, it is only right and proper to honor Chief Dale Vander Boegh and his family for the remarkable lifetime commitment they have made to their community and neighbors. Chief Vander Boegh is a fine American and a true hero. I wish he and his wife, Beverly, the best life can offer in their retirement.

SECURITIES LITIGATION UNIFORM
STANDARDS ACT OF 1998

SPEECH OF

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 1998

Mr. FAZIO of California. Mr. Speaker, during the 104th Congress I voted, with a large bipar-

tisan majority of my colleagues, for the Private Securities Litigation Reform Act of 1995 (PSLRA) because I believed it was an important step toward protecting companies against "frivolous" law suits. The extremely litigious environment that existed prior to this legislation had a chilling effect on growth in technologies and did little to curb fraud and abuse.

A new concern has developed, however, which threatens to unravel the changes that we have made. In effect, the standards in the Federal securities laws, as amended by the PSLRA, are being bypassed.

According to a study done last year, Stanford University found that 26 percent of securities class action cases have shifted from Federal to State courts. Trial lawyers have discovered a loophole around the Federal statute through State litigation, where it is much easier to file complaints without substantial cause. This practice is an unprecedented and unanticipated move that stands to harm America's companies, especially the high tech community.

These high technology companies account for 34 percent of all the issuers sued last year. It is ironic that the very companies that have contributed disproportionately to the economic growth of our Nation and have been a great source of wealth for investors are the ones being harassed. They are, in effect, being penalized for success.

The Securities Litigation Uniform Standards Act, H.R. 1689, would amend the Securities Act of 1933 and the Securities Exchange Act of 1934 so that any class action law suit brought in any State court involving a covered security would be heard in a Federal court. Only those suits traditionally filed in Federal courts would be affected by H.R. 1689, while those claims that historically have been pursued in State courts would be left undisturbed. H.R. 1689 is limited to covering nationally traded securities on the New York Stock Exchange, NASDAQ, or the American Stock Exchange. At the same time, the legislation expressly preserves the authority of public State officials to police State securities markets.

It is clear that what is needed are uniform standards for private securities class action litigation to cover nationally marketed securities. I hope that my colleagues will join me once again in support of securities litigation reform. We need to take action to close this loophole and protect our innovative entrepreneurs and companies that have done so much toward this country's economic health.

SECURITIES LITIGATION UNIFORM
STANDARDS ACT OF 1998

SPEECH OF

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 1998

Mr. BOEHNER. Mr. Speaker, I want to congratulate Chairman BLILEY, Chairman OXLEY, my friend Mr. WHITE and Ms. ESHOO for their work on this fine piece of legislation, the Securities Litigation Uniform Standards Act.

Nearly 3 years ago we passed the precursor to this bill. Before that, dozens of sue-first, ask-questions-later lawyers had made fortunes by organizing groups of shareholders to sue companies when their stock didn't live up to

the shareholders' expectations. If the stock went down, even briefly, the trial lawyers sued the companies and harassed them into settlements. The real winners in these cases were the lawyers, who recovered fees that dwarfed the settlements their individual clients received.

This especially hurt high-tech businesses which were easy targets because their stocks tended to fluctuate more than average. Because we wanted to keep America competitive in this vital market, in 1995 we passed the Securities Litigation Reform Act, overriding President Clinton's veto. That bill protected shareholders' legitimate interests but made it harder for the strike suit lawyers to coerce companies into unfair settlements.

The problem was that in inventing a new mousetrap we had forgotten how smart the mice were. The strike suit lawyers began filing their suits in state courts, where our bill had little effect.

This bill realizes the intent of the 1995 bill by closing this loophole. Securities law is predominantly federal. This bill would prevent strike suit lawyers from abusing convenient state law by giving company defendants the opportunity to move strike suits filed in state courts to federal courts, where they would have the protection of the 1995 bill.

Mr. Speaker, this superb piece of legislation will protect shareholders, it will protect our growing high-tech sector from needless harassment, and it will protect the high-paying, stable jobs that these industries will create now and in the future. I urge my colleagues to support it.

DEPARTMENT OF THE INTERIOR
AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

SPEECH OF

HON. J.D. HAYWORTH

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 1998

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4193) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1999, and for other purposes:

Mr. HAYWORTH. Mr. Chairman, today we had an important vote regarding federal lands in our country. I believe Chairman REGULA did an excellent job of handling this difficult and controversial appropriations bill. However, one project that was left out of the bill was funding of the new Seba Dalkai school in my congressional district that has been on the Bureau of Indian Affairs (BIA) priority list for several years.

As you may know, Mr. Chairman, Seba Dalkai is located on the Navajo Nation, the largest and most economically-challenged sovereign Indian nation. Education is vitally important for children to achieve their full intellectual and economic potential. A healthy learning environment is central to this goal.

Seba Dalkai has been patiently waiting for new school facilities, while educating their children in substandard conditions. They are presently the highest ranked school on the BIA priority list that has yet to receive funding. Unfor-

tunately, this has been the situation for several years. Seba Dalkai needs and deserves funding. It is my hope that since the new Sac and Fox and Pyramid Lake schools will be completed this year, the House Interior Appropriations Subcommittee will begin funding the new Seba Dalkai school in fiscal year 2000. I will continue to fight for funding for Seba Dalkai, although I am disappointed that the Subcommittee could not begin funding this important project in fiscal year 1999.

COMMUNICATIONS MANAGER JOHN
H. BLANK, RETIRING AFTER 33
YEARS OF SERVICE

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 1998

Mr. STARK. Mr. Speaker, I would like to take this opportunity to pay tribute to Communications Manager John H. Blank. On July 31, 1998, after 33 years of distinguished service, he will be retiring from the police force in Milpitas, California, in California's 13th Congressional District.

Communications Manager Blank began his career serving the Milpitas community in October, 1965. He was sworn in as a police officer on October 1, 1965. He served in the patrol unit until January, 1970 at which time he was appointed as Supervisor of the Traffic Investigation Unit. In 1967, he cofounded the Milpitas Police Officer's Association. His concern for the welfare and development of employees of the Department as well as his knowledge and skills in the field of organizational development provided a solid foundation for the Association which continues to serve as an important resource for law enforcement officers today.

While serving in the Milpitas Police Department, John continued his education. He was awarded a B.S. degree from San José University in 1973 after completing the requirements for a double major in Public Administration and Political Science. Concurrent to his service in the Milpitas Police Department, he also served in the California National Guard. He completed his service in 1971, after attaining the rank of Staff Sergeant.

On July 1, 1973, John was promoted to Police Inspector with the responsibility of supervising the Records, Communications and Property functions of the Police Department. Under his supervision, the Department acquired its own dispatching capability and was able to upgrade its services substantially. In April of 1979, as a result of departmental restructuring, John became a Detective Sergeant. His responsibilities included investigating crimes against persons, property crimes, fraud and missing persons.

In 1980, John embarked upon a significant career change—he left service as a sworn employee to become a communications dispatcher. In 1985, he became an acting communications supervisor. In 1986, he became permanent supervisor, and, in 1992, he became Communications Manager. As Communications Manager, he managed the growth of this service by improving the size, staff training, and complexity of the Communications Center.

He oversaw many improvements during his tenure as Manager, including the change from

“status tags” to Computer Aided Dispatch, public safety tactical dispatching, and the development of a state of the art Communications Center.

He was a co-founder of an organization called C.O.M.A.—the Communications Operations Managers Association of Santa Clara County. C.O.M.A.'s goals are interagency cooperation, support training, and the furtherance of the public safety communications profession.

John has always been an active member of the community. He has lived in Milpitas for the last 15 years—in a home that he built himself. He has been a long time member of the Walnut Green Homeowners Association, he founded the Milpitas Tennis Association, has been very active in the Y.M.C.A., and has been a member and president of the Milpitas Kiwanis Club. He is also an active member of his church, serving as both a deacon and usher.

John has received numerous awards and commendations throughout his career. He has amassed over forty letter of commendation from citizens, his supervisors, and from a wide variety of governmental agencies. In 1987, he was recognized by the San José-Evergreen Community College District for his assistance in the development and presentation of the Basic Public Safety Dispatcher Development Academy.

Mr. Speaker, Communications Manager John H. Blank will be honored at a celebration dinner on the occasion of his retirement on August 7, 1998. I would like to thank John for his 33 years of dedicated service on behalf of the residents of Milpitas, CA. His professionalism and dedication will be sorely missed. I wish him luck in all of his future endeavors.

CONGRATULATING SCRUGGS, INC.

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 1998

Mr. DUNCAN. Mr. Speaker, Scruggs, Inc., a leading Knoxville business, has recently received national recognition as the “1998 Dealer of the Year” by “Foodservice Equipment and Supplies Magazine.” Scruggs, Inc. is a 66-year-old, third generation restaurant equipment and design company in Knoxville, TN.

Scruggs, Inc., founded in 1932, by Mr. Carlton Scruggs, now has over 55 employees and sales of over \$15 million a year. In a time where many family businesses may be experiencing difficulties, it is wonderful to see this family business doing so well.

The Scruggs family is one of east Tennessee's most respected families. I have known Mr. Jim Scruggs, who recently retired from the company, for many years. Now, the day-to-day operations are managed by his sons, Lee and Andrew.

I congratulate the Scruggs family on this well-deserved honor, and I wish them continued success. I would like to call to the attention of all of my Colleagues and other readers of the CONGRESSIONAL RECORD the article from the “Knoxville News Sentinel” concerning this outstanding award.