

blind or using wheelchairs. And no ATM or automated phone system can answer every question about an account. Seniors on fixed incomes, families living on today's pitifully low minimum wage, and blind or disabled customers—including veterans—will be penalized for the "privilege" of making a deposit or taking funds out of their account. Even the most sophisticated customers sometimes need to speak with a teller. Now banks will punish individuals who are simply asking for assistance.

My own mother is 85 years old and is still an active public servant. Yet I recognize the difficulty she has interacting with today's technology. I am confident that many of my colleague's parents—and perhaps some of my colleagues themselves—have difficulty using automatic teller machines.

Like many of my colleagues, I have been hearing from constituents who feel bombarded with automatic teller machine user fees. Now, customers will be charged for discussing a transaction with a human teller too. Financial institutions are squeezing money out of customers and other consumers—money that should be used to improve our economy, not line the pockets of our wealthiest institutions.

This user fee hurts the customers with limited means the most. These consumers may not be able to access electronic commerce, yet they'll be punished by the institution that holds—and makes money off—their assets.

The bill I am introducing today will prohibit banks and credit unions from charging these onerous fees.

I urge my colleagues to stand up for consumers, and protect our most vulnerable citizens from unfair human teller fees. Please join me in this effort by cosponsoring the "The Depository Institution Customer Protection Act."

#### A TRIBUTE TO THE CENTER FOR MILITARY AND PRIVATE SECTOR INITIATIVES

#### HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 12, 1998*

Mr. LEWIS of California. Mr. Speaker, while the end of the Cold War eased international tensions, it led to a significant downsizing of the U.S. armed forces. Nearly one tenth of our country's population, or 26 million people, have served in uniform. Over two million have left military service since the end of the Gulf War. Approximately 275,000 veterans of military service are being discharged each year, projected well into the next century. Once again, as in previous post-war periods, American employers have the opportunity to access men and women returning to civilian life in large numbers.

Unlike previous periods, when American were drafted for service, these men and women are volunteers. Surprisingly, the harsh reality for many of them is that a successful military career is not a guarantee of gainful employment in the private sector. This is a startling phenomenon, especially considering the extensive experience, diverse talents, and strong work ethic of military professionals. Clearly, much needs to be done to uncover and address the reasons for the continued underutilization of this highly trained and motivated force.

Indeed, a comprehensive survey conducted for the Joint Chiefs of Staff by a national executive search firm, Wesley, Brown and Bartle (WB&B) reports that stereotypes and myths caused businesses and professional recruiting services to discard an alarmingly high percentage of resumes submitted by our veterans.

There are disturbing dimensions to the problem. The Bureau of Labor Statistics reports that the jobless rate for male veterans discharged since 1994 is seven percent, considerably higher than the current national average of 4.5 percent of all Americans. The rate of unemployment for female veterans is 5.9 percent. Even more alarming is the state of underemployment of former military. Our downsizing of the Army by 60 percent since the Gulf War has thrust hundreds of thousands of early retirees from military service into the private sector. The WB&B survey showed that they are not being welcomed as they should be by civilian employers, perhaps only because only one in every 147 of them has prior active duty military service, compared with one in every ten after World War II. Indeed, retired Admiral Stanley Arthur, the Navy's top commander in the Gulf War, said that "the military is no longer an institution with which most—even many—people can identify."

A random survey of 1700 recently transitioned military personnel found most of them to be active job seekers. More than half of them sent out at least 50 resumes. Another 30 percent distributed more than 100 resumes. Three in every four of them received not one reply. Only one of about every six who heard back received even a single job offer. Among those who accepted, 80 percent were found to earn less than \$20,000.

Wesley, Brown and Bartle is to be commended for founding the Center for Military and Private Sector Initiatives which was established to help military men and women more effectively transition from active duty to civilian life. Through the Center, corporate America has a rare opportunity to forge partnerships that will positively impact the transition of military professionals and enhance America's workforce.

Mr. Speaker, the Center for Military and Private Sector Initiatives is to be commended for providing American business with the value that former military professionals bring to the workplace, making corporate America more competitive. When American businesses capitalize on the value of the military experience, America wins.

#### SALUTING THE EMPLOYEE BENEFIT RESEARCH INSTITUTE ON ITS 20TH ANNIVERSARY

#### HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 12, 1998*

Mr. POMEROY. Mr. Speaker, I rise to salute one of our Nation's leading public policy institutes on the occasion of its 20th anniversary. For two decades now, the Employee Benefit Research Institute (EBRI), under the outstanding leadership of its president Dallas Salisbury, has been providing trusted data and analysis on some of the most important public policy issues of our time—Social Security re-

form, health coverage and quality, and the changing world of private pensions.

As one who has made retirement and health security issues the core of my legislative agenda, I have benefited many times from EBRI's exceptional and nonpartisan research and analysis. I have relied on EBRI to provide me with the very latest findings and developments, and I have called on their stable of experts many times for objective data and analysis as I have begun work on a new legislative initiative.

I want to commend EBRI in particular for two of its most recent endeavors. One was the central role EBRI played in organizing this year's National Summit on Retirement Savings, which highlighted the critical issues of saving and planning for retirement. The second is EBRI's recent development of a highly sophisticated computer model of the Social Security system that is now the leading tool in the country for analyzing the effects of Social Security reform proposals.

Mr. Speaker, again let me congratulate the Employee Benefit Research Institute for 20 years of outstanding work. I look forward to EBRI's continued contribution to the public policy of our Nation.

#### INTERNATIONAL ANTI-BRIBERY AND FAIR COMPETITION ACT OF 1998

SPEECH OF

#### HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 9, 1998*

Mr. DINGELL. Mr. Speaker, we all have a strong interest in seeing that there is a level playing field on which U.S. business and U.S. workers can compete in world markets.

The bill are considering today, H.R. 4353, points out just how unlevel that playing field can be. In May of 1976, Congress received from the Securities and Exchange Commission an extensive "Report on Questionable and Illegal Corporate Payments and Practices" that revealed corrupt foreign payments by over 300 U.S. companies involving hundreds of millions of dollars and the falsification of accounting records and the deceit of auditors.

Since 1977, U.S. law has made it a crime from American businessmen to bribe foreign government officials to obtain business contracts. Yet, Germany and other countries do not just fail to prohibit bribery on the part of their business representatives, they make it a tax deductible expense.

Last December, 33 of our major trading partners signed the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions. Under this agreement, our major trading partners commit, for the first time, to make business-related bribes to foreign officials a crime under their respective legal systems.

H.R. 4353 expands and strengthens the Foreign Corrupt Practices Act (FCPA) to implement U.S. obligations under the OECD convention. It expands the FCPA to include bribes to foreign public officials that are made to secure "any improper advantage." The bill also expands the FCPA to cover not only U.S. businesses and issuers of securities, but also

any foreign natural or legal person that engages in a prohibited act within the territory of the United States.

In addition, this legislation expands the definition of public official in the FCPA to include officials of public international organizations. It makes foreign employees and agents of issuers and domestic concerns subject to criminal penalties in the same way that U.S. citizens are. This legislation also amends the FCPA to provide for jurisdiction even when U.S. businesses and nationals engage in the offering of bribes wholly outside the United States.

Mr. Speaker, this legislation contains strict monitoring and reporting requirements to ensure that our OECD partners fully implement the anti-bribery convention under their laws. It requires that the Administration report to Congress concerning its efforts to strengthen the Convention by extending the prohibitions contained in the Convention to cover bribes to political parties, party officials, and candidates for political office.

Mr. Speaker, the Senate has already passed legislation ratifying and implementing the anti-bribery convention. Although we are rapidly approaching the end of this Congress, it is my hope that Congress can complete action on this important legislation this year.

However, the legislation before us also contains matters having to do with international satellites, which are unrelated to the implementation of the anti-bribery convention. These satellite provisions are not in the implementing legislation passed by the Senate. It is my sincere hope that these extraneous satellite provisions will not prevent the House and Senate from sending the President legislation implementing the anti-bribery convention, before this Congress adjourns.

The Commerce Department reports that there have been significant charges of bribery associated with international commercial contracts valued at more than \$100 billion since 1994. Mr. Speaker, bribery hurts American business and American workers who must compete in the world market place. American business and American workers need the protections the OECD Convention provides, and they need them now.

If we fail to implement the anti-bribery convention because of an inability to reach agreement on extraneous matters, American business and American workers will pay the price. Delay on our part will only give our OECD partners an excuse to delay their implementation of these important anti-bribery commitments.

Mr. Speaker, swift action by this House, and this Congress, is needed, so the United States can set an example for our OECD partners to ratify and fully implement this important convention, as well. I hope my colleagues will give this important legislation their strong support.

PASSAGE OF TAX EXTENSION  
LEGISLATION

**HON. ROSA L. DeLAURO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 12, 1998*

Ms. DeLAURO. Mr. Speaker, I am pleased to support this tax extender legislation, which

will continue important tax benefits for businesses and individuals.

This bill extends the research and development tax credit, which encourages the development of cutting edge technology and supports the creation of high paying, good jobs in states like Connecticut. From the defense industry to the biotech industry to software development, this tax credit plays an important role in maintaining US leadership in the world economy and helping our firms compete against their global rivals.

I am also pleased that this bill extends the Work Opportunity Tax credit, to create incentives that help businesses, particularly small businesses, afford new staff and help move people from welfare to work. Likewise, the permanent extension of income averaging for farmers will help family farms to sustain their businesses through the swings of income which so many farms experience from year to year.

This bill also accelerates the phase-in of deductions of health insurance premiums for the self-employed. Under this bill, 75% of the cost of health insurance can be deducted in 2002, and 100% can be deducted in 2003. For too many self-employed individuals find the cost of health insurance prohibitive, and this legislation will assist them in obtaining the health coverage that they and the families which depend on them need and deserve.

I am pleased to support this bipartisan bill, which will strengthen businesses, particularly small businesses, and help them to improve their competitiveness and to hire more employees at livable wage. And I look forward to working with my colleagues in the early months of the next legislative session to strengthen the Social Security retirement Trust Fund, so that we can enact broad-based tax relief for all working families.

SONNY BONO COPYRIGHT TERM  
EXTENSION ACT

SPEECH OF

**HON. BOB CLEMENT**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 7, 1998*

Mr. CLEMENT. Mr. Speaker, I rise to lend my support for copyright term extension. Title I of S. 505 extends the term of copyright protection by twenty years, from the life of the artist plus 50 years to the life of the artist plus 70 years. This copyright term extension will bring the United States in line with most of the rest of the world.

However, Title II of this bill contains a gross injustice. Title II, inappropriately titled the "Fairness in Music Licensing Act", is anything but fair. This provision exempts restaurants smaller than 3,750 square feet and retailers smaller than 2,000 square feet from paying royalties for radio and television. As I previously argued on the floor of the House when this issue was first raised, the so-called "Fairness in Music Licensing Act" compromises the intellectual property rights of this nation's songwriters and assaults their ability to make a living. According to the Congressional Research Service, this provision would allow more than 70% of bars and restaurants to use radio and TV music for free. The earnings of songwriters, composers, and publishers stand

to be reduced by tens of millions of dollars annually. The average songwriter, many of whom live in my hometown of Nashville, makes less than \$5,000 annually from music royalties. Yet, by supporting this provision, we are choosing to take from songwriters and give to restaurant owners, who make on average \$45,000 annually.

Title II of this bill also violates our International treaty responsibilities. One or more of our trading partners will file a complaint in the World Trade Organization. As the Secretary of Commerce, the Honorable William Daley, so aptly observed, ". . . we know that our trading partners will claim that it is an overly broad exception that violates our obligations under the Berne Convention for the Protection of [Artistic and] Literary Works and the Agreement on the Trade-Related Aspects of Intellectual Property Rights. The United States will lose, and we will be presented with a series of unfortunate options: ignore the WTO, incur sanctions, or modify our law. All will be contentious and difficult."

Finally, I would like to point out that my friends on the other side of the aisle are tireless in their pursuit of protecting property rights. I submit to you, Mr. Speaker, that intellectual property deserves every bit as much protection as tangible property. In Nashville, you can now get a bank loan using your songs as collateral.

In a heartbeat, without informed debate, Congress is taking away the property of songwriters and transferring it to restaurants without due process of law or just compensation. The Fifth Amendment of the Constitution, as my colleagues well know, states that "no person shall be . . . deprived of life, liberty, or property, without due process of law."

I am unequivocally opposed to Title II of S. 505.

INTERNATIONAL ANTI-BRIBERY  
AND FAIR COMPETITION ACT OF  
1998

SPEECH OF

**HON. ZOE LOFGREN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 9, 1998*

Ms. LOFGREN. Mr. Speaker, I am proud to cast my vote in favor of the conference report on the Securities Litigation Reform Act of 1998. This legislation is the culmination of a long, hard effort to enact reform of securities litigation.

When Congress passed the Private Securities Litigation Reform Act in 1995, we thought we had stopped the increasingly troubling practice of "strike suits." In these suits, a small group of attorneys took advantage of the legal system to coerce huge settlements out of growing high-tech companies, often with little or no evidence of wrong doing.

Unfortunately, loopholes in the new law were found. To avoid the new heightened pleading standards, cases were moved from Federal Courts into State courts. According to a recent study by Stanford Professors Joseph Grundfest and Michael Perino, 26% of securities litigation activity has shifted to state courts.

Because the threat of "strike suits" still exists, many executives in Silicon Valley are reluctant take full advantage of key provisions of