

any effort by the federal government, which was not a party to the settlement, to claim a portion of these funds.

I call the text of the resolution to the attention of my colleagues, as follows.

NEBRASKA UNICAMERAL LEGISLATURE,
March 23, 1999.

Hon. LEE TERRY,
House of Representatives, Longworth House Office Bldg., Washington, DC 20515.

DEAR CONGRESSMAN TERRY: I have enclosed a copy of engrossed Legislative Resolution No. 29 adopted by the Nebraska Unicameral Legislature on the twenty-second day of March 1999. The members of the Nebraska Legislature have directed me to forward this resolution to you and to request that it be officially entered into the Congressional Record.

With kind regards.

Sincerely,

PATRICK J. O'DONNELL,
Clerk of the Legislature.

Enclosed.

NINETY-SIXTH LEGISLATURE, FIRST SESSION,
LEGISLATIVE RESOLUTION 29

Whereas, the State of Nebraska filed a lawsuit against the tobacco industry on August 21, 1998, in the district court of Lancaster County; and

Whereas, the State of Nebraska and forty-five other states settled their lawsuits against the tobacco industry on November 23, 1998, under terms of the Tobacco Master Settlement Agreement (MSA) without any assistance from the federal government; and

Whereas, under terms of the Master Settlement Agreement, Nebraska's lawsuit against the tobacco industry was dismissed by the district court of Lancaster County on December 20, 1998, and State Specific Finality was achieved in the State of Nebraska on January 20, 1999; and

Whereas, the State of Nebraska has passed legislation to allocate its portion of settlement funds awarded under the Master Settlement Agreement for the preservation of the health of its citizens; and

Whereas, the federal government, through the Health Care Financing Administration, has asserted that it is entitled to a significant share of settlement funds awarded to the settling states under the Master Settlement Agreement on the basis that such funds represent a portion of federal Medicaid costs; and

Whereas, the federal government previously chose not to exercise its option to file a federal lawsuit against the tobacco industry, but on January 19, 1999, the President of the United States announced plans to pursue federal claims against the tobacco industry; and

Whereas, the State of Nebraska is entitled to all of its portion of settlement funds negotiated in the Master Settlement Agreement without any federal claim to such funds.

Now, therefore, be it resolved by the Members of the Ninety-Sixth Legislature of Nebraska, First Session:

1. That the Legislature hereby petitions the Congress of the United States and the executive branch of the federal government to prohibit federal recoupment of state tobacco settlement recoveries.

2. That official copies of this resolution be prepared for forwarded to the Speaker of the United States House of Representatives and President of the United States Senate and to all members of the Nebraska delegation to the Congress of the United States with the request that it be officially entered into the Congressional Record as a memorial to the Congress of the United States.

3. That a copy of the resolution be prepared and forwarded to President William J. Clinton.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 30, 1999.

PATRICK J. O'DONNELL,
Clerk of the Legislature, Lincoln, Nebraska.

DEAR MR. O'DONNELL: Pursuant to the request of the Legislature, I have entered into the Congressional Record Resolution No. 29, adopted on March 22, 1999. A copy of the appropriate section of the record is enclosed.

I am pleased to be of assistance in bringing this important matter to the attention of my colleagues.

Sincerely,

LEE TERRY,
Member of Congress.

HONORING THE HUTCHINSON HOSE
COMPANY

HON. THOMAS M. REYNOLDS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1999

Mr. REYNOLDS. Mr. Speaker, I rise today to honor and acknowledge the men and women of the Hutchinson Hose Company in Amherst, NY.

In 1835, residents of "Williams Mills" first donated a portion of their taxes toward the purchase of a fire engine, recognizing the community's need for fire protection. Since the time of that \$228 wooden wagon, Hutchinson Hose, which received its modern-day name in 1908 in honor of Edward H. Hutchinson, has grown with its community, providing superior fire protection for the residents of Williamsville.

For 164 years, the men and women of Hutchinson Hose have lived up to their early-day moniker of the "Rough and Ready Fire Engine Company Number One," and it is with great pleasure that I commend them during our deliberations today.

Mr. Speaker, I would also like to pay special recognition to Mr. Irvin J. Lorich and Mr. David Sherman. Irvin will be honored on Saturday, May 1, 1999, for 50 years of dedicated volunteer service; and Mr. Sherman, a distinguished journalist and editor, will again be sworn-in as President of the Fire Company, the longest tenured president in fire company history.

Mr. Speaker, I know that the entire House of Representatives joins me in saluting the hard work and dedication of the Hutchinson Hose Company, and two of its most distinguished members, President Dave Sherman and Mr. Irvin Lorich.

LEGISLATION TO PROVIDE VETERANS HEALTH CARE BENEFITS TO MEMBERS OF THE PHILIPPINE COMMONWEALTH ARMY AND THE MEMBERS OF THE SPECIAL PHILIPPINE SCOUTS, H.R. 1594

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1999

Mr. GILMAN. Mr. Speaker, I rise today to introduce H.R. 1594, the Filipino Veterans Benefits Improvements Act of 1999. I urge my colleagues to join me in supporting this worthy legislation.

On July 26, 1941, President Roosevelt issued a military order, pursuant to the Phil-

ippines Independence Act of 1934, calling members of the Philippine Commonwealth Army into the service of the United States Forces of the Far East, under the command of General Douglas MacArthur.

For almost 4 years, over 100,000 Filipinos, of the Philippine Commonwealth Army fought alongside the allies to reclaim the Philippine Islands from Japan. Regrettably, in return, Congress enacted the Rescission Act of 1946. This measure limited veterans eligibility for service-connected disabilities and death compensation and also denied the members of the Philippine Commonwealth Army the honor of being recognized as veterans of the United States Armed Forces.

A second group, the special Philippine scouts called "New Scouts" who enlisted in the U.S. armed forces after October 6, 1945, primarily to perform occupation duty in the Pacific, were similarly excluded from benefits.

I believe it is long past time to correct this injustice and to provide the members of the Philippine Commonwealth Army and the special Philippine scouts with the benefits and the services that they valiantly earned during their service in World War II.

Realizing Mr. Speaker, that our current budgetary environment is not conducive to the creation of a new large entitlement program, I have crafted this legislation to be fiscally feasible while providing the veterans with the benefits in which they are most in need.

This legislation contains three major provisions. The first would provide disability compensation to those Filipino veterans residing in the United States on a dollar-for-dollar basis. This would replace the "peso rate" standard which Filipino veterans had to accept, even if they were residing within the United States and not the Philippines.

Second, this bill would make all Filipino veterans residing in the United States eligible for VA health care. These veterans, would be subject to the same eligibility and means test requirements as their American counterparts.

Finally, this legislation restores funding, which had been removed in 1994, to provide health care to American military personnel and veterans in the Philippines as well as for Filipino World War II veterans residing in the islands.

These veterans have waited more than 50 years for the benefits which, by virtue of their military service, they were entitled to in 1946.

I urge my colleagues to carefully review this legislation that corrects this grave injustice and provides veterans benefits to members of the Philippine Commonwealth Army and the members of the special Philippine scouts.

I submit the full text of H.R. 1594 to be included at this point in the RECORD:

H.R. 1594

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Filipino Veterans' Benefits Improvements Act of 1999".

SEC. 2. INCREASE IN RATE OF PAYMENT OF CERTAIN BENEFITS TO VETERANS OF THE PHILIPPINE COMMONWEALTH ARMY.

(a) INCREASE.—Section 107 of title 38, United States Code, is amended—

(1) by striking "Payment" in the second sentence of subsection (a) and inserting "Except as provided in subsection (c), payment"; and

(2) by adding at the end the following new subsection:

“(c) In the case of benefits under subchapters II and IV of chapter 11 of this title by reason of service described in subsection (a)—

“(1) notwithstanding the second sentence of subsection (a), payment of such benefit shall be made in dollars at the rate of \$1.00 for each dollar authorized; and

“(2) such benefits shall be paid only to an individual residing in the United States who is a citizen of, or an alien lawfully admitted for permanent residence in, the United States.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply to benefits paid for months beginning on or after that date.

SEC. 3. ELIGIBILITY FOR HEALTH CARE OF CERTAIN ADDITIONAL FILIPINO WORLD WAR II VETERANS.

Section 1734 of title 38, United States Code, is amended to read as follows:

“The Secretary, within the limits of Department facilities, shall furnish hospital and nursing home care and medical services to Commonwealth Army veterans and new Philippine Scouts in the same manner as provided for under section 1710 of this title.”.

SEC. 4. MANDATE TO PROVIDE HEALTH CARE FOR WORLD WAR II VETERANS RESIDING IN THE PHILIPPINES.

(a) IN GENERAL.—Subchapter IV of chapter 17 of title 38, United States Code, is amended—

(1) by redesignating section 1735 as section 1736; and

(2) by inserting after section 1734 the following new section:

“§1735. Outpatient care and services for World War II veterans residing in the Philippines

“(a) OUTPATIENT HEALTH CARE.—The Secretary shall furnish care and services to veterans, Commonwealth Army veterans, and new Philippine Scouts for the treatment of the service-connected disabilities and non-service-connected disabilities of such veterans and scouts residing in the Republic of the Philippines on an outpatient basis at the Manila VA Outpatient Clinic.

“(b) LIMITATIONS.—(1) The amount expended by the Secretary for the purpose of subsection (a) in any fiscal year may not exceed \$500,000.

“(2) The authority of the Secretary to furnish care and services under subsection (a) is effective in any fiscal year only to the extent that appropriations are available for that purpose.”.

“(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by striking the item relating to section 1735 and inserting after the item relating to section 1734 the following new items:

“1735. Outpatient care and services for World War II veterans residing in the Philippines.

“1736. Definitions.”.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

in America, I submit the following articles into the CONGRESSIONAL RECORD.

NHL CAN'T SUBSTANTIATE RACIAL ALLEGATION

(By Ken Berger)

Philadelphia (AP).—Embroided in another racial controversy, the NHL had to admit the ugly reality of life on the ice. “Zero tolerance” often is hindered when there are zero witnesses.

Fact is, the annoying, personal and sometimes hateful words exchanged by players who are fighting for supremacy in a brutal game rarely travel to the ears of others or get caught on tape. The league ruled Tuesday that it was unable to confirm the latest accusation of racial hatred that crept into the game, leaving Sandy McCarthy and Tie Domi to settle their dispute the way it started—one-on-one.

After reviewing tapes and interviewing both players, league disciplinarian Colin Campbell ruled McCarthy and Domi are the only ones who know what happened Monday night on the national stage of a Stanley Cup playoff game. Both players will be on the ice again tonight in Game 4 of the contentious first-round series between Philadelphia and Toronto.

“None of the on-ice or off-ice officials could confirm having heard an offensive remark,” Campbell, vice president and director of hockey operations, said in a statement from New York. “The league is on record as having a zero-tolerance policy regarding any racially motivated behavior, and any claim that a taunt or slur took place is an extremely serious one.”

“After a thorough investigation, however, we have concluded this allegation cannot be independently substantiated.”

After trading shoves and words with Domi during Toronto's 2-1 victory Monday night, McCarthy said the Maple Leafs forward “dropped an N-bomb on me” during a heated exchange in the second period. Officials on the ice and players for both teams said they didn't hear the slur. Domi denied using it, saying instead that McCarthy had spit in his face.

“I would never use those kinds of words, and he knows that,” Domi said. “He can say what he wants.”

McCarthy, whose father is black and mother white, said it was the first time he'd had a racial slur directed at him in his career.

“I think it's awful for the game,” McCarthy said Tuesday at the Flyers' training facility in suburban New Jersey. “That's why it shouldn't be tolerated.”

McCarthy said he was sure Domi used the slur. “No doubt whatsoever,” McCarthy said. “You can't mistake that word for anything else.”

After a workout at a separate New Jersey training site, Toronto coach Pat Quinn defended Domi. Asked why McCarthy would make such an accusation, Quinn said, “I think he's bloody embarrassed by spitting in the man's face.”

Domi added: “It's something that will hopefully blow over, I've played with black guys in the league and I respect them.”

In recent years, some NHL players have been accused of attacking the heritage of black players, whose numbers are still small but growing in a sport dominated by whites. In fact, McCarthy was involved in one of the incidents.

While with Tampa Bay, he and Darcy Tucker were cleared of accusations they made racial gestures at Florida Panthers forward Peter Worrell, who is black, during an exhibition game in October.

“It was proven that nothing happened,” McCarthy said. “We talked to Peter on the

phone, and he said, ‘I don't know what's going on, but I didn't hear anything and nothing happened.’”

Craig Berube, now with the Flyers, was found guilty of using a slur while with Washington in November 1997 and was suspended. Shortly thereafter, the league announced a “zero-tolerance” policy on the matter.

“We're playing a sport where guys are nuts out there sometimes,” Berube said. “They're losing their minds, they're saying things. I say things. Everybody says stuff and does stuff they shouldn't do. You don't want to do it, but at the time you're not thinking like that.”

Though no league action was taken, the specter of racial hate still hangs over the NHL.

Flyers general manager Bob Clarke said racial insults were prevalent during his Hall of Fame career. Even fewer blacks were in the league when he played from 1969-84.

“Unless you're a black player like Sandy McCarthy, none of us can understand what calling a person that name does to you,” Clarke said. “It's up to the league to control that kind of stuff. And if an official hears it, then they should do something to stop it.”

When it comes down to one player's words against another's, there seem to be zero answers.

COUPLE, FOUNDATION, ADMIT CAMPAIGN VIOLATIONS IN SETTLEMENT

(By Hunter T. George)

Olympia (AP)—A Seattle couple and a non-profit charitable foundation have agreed to pay a \$15,000 civil fine for concealing the source of a \$50,000 contribution to a political campaign.

Under the settlement reached with state Public Disclosure Commission investigators, the couple and the Seattle-based foundation, A Territory Resource, admitted to unintentional violations of the law.

The commission voted 3-0 Tuesday to accept the settlement, which calls for each party to pay a \$7,500 fine. The foundation also agreed to consult with state campaign finance regulators before seeking to make future campaign contributions on behalf of foundation donors.

The PDC opened an investigation after receiving a complaint about a contribution to the No!200 campaign against last fall's ballot initiative that sought to roll back government affirmative action programs. Voters approved the initiative.

The couple, David Foecke and Pat Close, contributed \$6,250 in their names to the No!200 campaign. They also sent \$50,000 to their “donor advised account” with ATR, which allows contributors to suggest how such money should be spent.

ATR complied with the couple's request to send all \$50,000 to the No!200 campaign.

Last Friday, PDC investigators accused the foundation of concealing the source of a campaign contribution and illegally acting as an intermediary. Investigators accused the couple of making an anonymous contribution.

There was no scheme between the couple, part owners of Cafe Flora restaurant in Seattle, and the foundation to break the law, said their attorney, Christopher Kane. They simply were afraid the size of the contribution would draw attention to themselves instead of the campaign against the initiative, he said.

“We felt very strongly that the law was unclear,” Kane told the commission.

Foecke and Close agreed to the settlement to resolve the issue and refocus attention on the “negative effects of Initiative 200 on civil rights and equal opportunity,” the couple said in a statement issued through a public relations firm.

EXPOSING RACISM

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1999

Mr. THOMPSON. Mr. Speaker, in my continuing efforts to document and expose racism