

EXTENSIONS OF REMARKS

RECOGNIZING THE 97TH ANNIVERSARY OF OUR LADY OF CHARITY ROMAN CATHOLIC CHURCH

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. TOWNS. Mr. Speaker, I rise today to celebrate the 97th Anniversary of the founding of Our Lady of Charity Roman Catholic Church in Brooklyn, New York. Let me congratulate this "Faith Community of Black Catholics" who, under the guidance of Father Andrew L. Struzzieri, are continuing in the tradition of almost a century of dedicated work serving the emotional and spiritual needs of Brooklyn residents.

Since Our Lady of Charity Roman Catholic Church was founded, the members of the congregation have exemplified the very best in humanity through a common commitment to the Christian faith. As one of the oldest places of worship in Brooklyn, the congregation has adopted the tree as a symbol of the strong roots that Charity members establish to better themselves and, ultimately, the community. As is said in proverbs:

He is like a tree planted near running water, that yield fruit in due season, and whose leaves never fade. Psalm 1:3 NAB

Mr. Speaker, Our Lady of Charity Roman Catholic Church's reputation for being on the leading edge of the development of creative and innovative strategies to address human needs at home and abroad is an inspiration to us all. For the past three years some of their special contributions have been to present Brooklyn Senior High School Youth with scholarships and gifts toward their college education. Its Prison Ministry continues to be dedicated to work towards assisting those in their time of extreme need by way of prayer and positive actions. Its Ministers of Service provide Eucharist to the sick at Brookdale Hospital and those parishioners who are unable to leave their homes.

In closing, Mr. Speaker, let me again offer my sincere congratulations to Kerry Mills, Anniversary Chairperson, and the entire congregation of Our Lady of Charity Roman Catholic Church and to commend them on their immense contributions during these past 97 years. I hope my colleagues will join me in wishing them good fortune and continued blessings in the future.

IN CELEBRATION OF THE TWENTY-FIRST BIRTHDAY OF ROBERT A. WEYGAND, JR.

HON. ROBERT A. WEYGAND

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. WEYGAND. Mr. Speaker, I rise today to recognize the twenty-first birthday of my son, Bobby.

As time goes on, and often at unfathomable speed as I advance in age, it is easy to forget some of the most precious moments in our life. I pen this statement to document one such special event, the twenty-first birthday of our son, Bobby. Now there are many sons and daughters that reached their twenty-first birthday on October 9, 2000 and I know how special they each must be to their parents. So I ask the Congress's indulgence if my perspective on this date is very personal, and not as objective as it should be, but my thoughts are entirely true, honest, and undeniable.

Bobby is the youngest of our three wonderful children and, as such, the benefactor of both pampering and brutal jokes. Being the only boy, he had the advice and assistance of his older sisters, whether requested or not. He always wanted to find his own way since "they just don't understand boys" as he would say. Life was not easy in those early years. For him, paths had been already cut by his parents and sisters and he was expected to follow them even when he wished for another course. He managed to do very well, which is not easy with such a dominating father. Everyone who knows him likes him because of who he is, that is a great accomplishment for anyone.

Changing schools, as he did, is not easy for any child and Bobby was no exception. Moving to a new school in third grade was very difficult, but he managed through the "new kid" taunting and jokes, and made friendships that will last him a lifetime. When we moved homes while he was still in high school, some cast unwarranted public scrutiny on him more than any student should endure. He accepted it with no complaints. Even harassing TV cameras at his high school graduation did not rattle his cage; he stood his ground. He was proud to graduate from East Providence High School with his friends. Through school, sports, and friendships, he has always made me proud to call him my son. He is even more than that, he is my friend.

Bobby is a very caring person (he gets that from his mom), sometimes forgetful (that's my fault), and always fun to be around (his sisters saw to that). I am very lucky to have a great family, each one of them provides a special light to my life. I love my son and my family and they love me. What greater gifts can life bring me, I know not. Happy birthday, Bobby.

HONORING ADELLE GORDON ON HER 75TH BIRTHDAY

HON. KAREN MCCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Ms. MCCARTHY of Missouri. Mr. Speaker, I rise today to honor Adelle Gordon, a psychiatric social worker from Rochester, New York, who is one of the unsung early pioneers of the women's movement.

Back in 1951, Mrs. Gordon, then a graduate student at Columbia University's School of So-

cial Work, wrote her dissertation on the conflicts of a group of young mothers who were torn between staying at home with their children or returning to work for financial or professional reasons. Her prescient paper, "A Study of the Adjustment of Fourteen Professional Women to Motherhood," touched on the difficulties facing working mothers in that era, with minimal support from spouses and employers, as well as the frustrations of housewives who felt culturally pressured to stay home. Mrs. Gordon's research evolved at a Central Park playground, where she took her own toddler son and met the women who became her subjects.

Mrs. Gordon, who will turn 75 on November 11, has devoted her social work career to counseling low income families, often referred by their local school districts. Starting out at the Hartford Family Service Society, she spent five years at the New Britain Child Guidance Clinic before joining the Rochester Mental Health Center in 1964. Recently retired, she has also taught at the University of Rochester. Married to David Gordon, she is the mother of two children, Bart (deceased) and Meryl, and has two grandchildren, Jesse and Nathan Gordon. As a working mother before the invention of the take-out, she developed her own domestic engineering system, cooking and freezing a week's worth of dinners in a day and defrosting the rest of the week.

Mr. Speaker, women like Adelle Gordon are rarely mentioned in the history books about the feminist movement in the United States. But their quiet contributions are what made this enormous generational change possible. Please join me in honoring Mrs. Gordon for her 75th year and for her pioneering service to families with working mothers.

RECOGNIZING THE CONTRIBUTIONS OF AMERICAN PATRIOT ROBERT MORRIS

HON. MARK FOLEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. FOLEY. Mr. Speaker, I would like to recognize for the CONGRESSIONAL RECORD an American patriot who has gone largely unnoticed in our reflections of history but whose contributions to the founding of our great country were singularly significant and decisive.

The patriot was Robert Morris, and I am fortunate enough to have as constituents in my Florida district some of his descendants—notably Gladys Hungling of Sebring, a U.S. Army veteran of the Korean War.

Morris was a financier—but not just any financier. The 1962 "Dictionary of American Biography" calls him the "financier of the American Revolution," and for good reason. Without his considerable skills, it is all but certain that our founders would not have had the financial ability to fight and win the Revolutionary War.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Robert Morris was born in 1734 in England. He came to live in Maryland as a child, at age 13, but soon became involved with a Philadelphia import-export business, in which he stayed involved for nearly 40 years. It was in this business that he honed his skills for finance, eventually becoming a leading member of trade—and arguably the wealthiest—in both Philadelphia and the colonies. Because of his prominence and skills, he became part of the center core of people who eventually shaped our land.

A close friend of George Washington, Mom's was a Pennsylvania delegate to the Continental Congress. More significantly, he was also one of only two colonials who signed all three of our founding documents: the Declaration of Independence, the Articles of Confederation and the Constitution.

And, as superintendent of finance under the Articles of Confederation, he was the forerunner to our first American secretary of the treasury. It was Robert Morris who knew the "art magick"—as George Washington called Morris' skills in high finance—and he used those skills to secure funds for the war, often using his own credit and money to back it up. He also founded the first government-incorporated bank in the country, the Bank of North America, in order to finance Washington's Yorktown campaign in 1781. He did so, according to records in the National Archives, by obtaining a sizable loan from France and by using his own credit and funds.

Robert Morris' legacy to the founding of our country was not without controversy: During his own day, he was criticized for the way his personal finances were tied to the finances of his young country. But the fate of the two were very different. The war effort he made possible through his "art magick" succeeded. The Declaration, the Articles and the Constitution he signed gave birth to a great nation. Robert Morris himself ended up in debtors' prison, dying amid poverty and obscurity.

Yet it is this American patriot that we ourselves are the debtors, Mr. Speaker. Because without his financial wherewithal, the ability to successfully wage the Revolutionary War—and become the great country we are—would have been lost.

SOUTHEAST TEXAS
ENTERTAINMENT COMPLEX

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. LAMPSON. Mr. Speaker, I rise today to recognize the groundbreaking of a new comprehensive entertainment complex in Southeast Texas. I specifically want to commend Jefferson County Judge Carl Griffith for his efforts in making the establishment of this facility a reality.

The development of the Southeast Texas Entertainment Complex means great things for the people of Southeast Texas. This 221 acre facility, which is scheduled to be completed by 2002, will contain a new fair grounds with 10 acres of midway; paved parking for 9000 vehicles; 80, 000 square feet of air-conditioned exhibit and convention space; an air-conditioned rodeo arena; an outdoor concert pavilion; Olympic-standard softball complexes; a rec-

reational vehicle park; a Regional Visitor's Center; jogging trails; and a wildlife habitat. This facility truly presents great opportunity for the citizens of Jefferson County and Southeast Texas.

This facility is slated to create an estimated 1,238 new jobs producing more than \$121.9 million payed in salaries to new workers. In addition, an estimated \$481 million will be pumped into the local economy. The Southeast Texas Entertainment Complex is expected to draw over 7.8 million visitors, nearly 3 million of them from outside the area.

Mr. Speaker, I am truly excited about the creation of this park and what this presents to the citizens of Southeast Texas. This facility will present phenomenal cultural, economic, and recreational opportunities to the citizens of Texas. I would once again like to offer my sincere gratitude to those who have helped to make the Southeast Texas Entertainment Complex a reality.

COSMETOLOGY TAX FAIRNESS
AND COMPLIANCE ACT OF 2000

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mrs. JOHNSON of Connecticut. Mr. Speaker, I have introduced the "Cosmetology Tax Fairness and Compliance Act of 2000" to extend the same tax fairness provision applied to the tip-intensive restaurant industry, to the tip-intensive cosmetology industry. Just like restaurant owners, this legislation will permit salon owners to claim a credit against income tax for the employer's share of FICA (Social Security and Medicare) tax paid on tips paid to their employees.

Under current law, salons are required to pay FICA taxes on tips paid to their employees even though the employers do not pay the tip compensation to the employees or control the amount of tip compensation paid to their employees. The credit would be allowed only for FICA tax on tips paid to employees. It would not be allowed for SECA tax (Social Security and Medicare tax paid by the self-employed) paid by individual salon owners and independent contractors on tips that they receive.

In addition, the Act will also help to correct the problem of systemic tax evasion in the cosmetology industry. This proposed legislation would close a loophole in a group of tax compliance provisions that are intended to encourage everyone to comply with the tax law. Under present law, when an independent contractor provides services to a business, the business generally must provide the independent contractor with a Form 1099, and the IRS with the information contained in the Form 1099. This is vital information for the IRS because the form tells the Service the address and taxpayer identification number ("TIN") of the independent contractors. The IRS can then check to see if tax returns were filed by them. However, under current law, Forms 1099 are not provided to cosmetologists who are independent contractors because they are technically providing their services to individual customers, rather than to businesses. The legislation requires salon owners (and others who lease space to hairstylists and other cos-

metologists) to provide a type of Form 1099 to stylists and other cosmetologists operating as independent contractors on their premises, and to provide the IRS with the names, addresses and TINs of the independent contractors. It also requires salon owners (and other lessors) to provide a copy of an IRS publication describing the tax obligations of independent contractors. The IRS has a publication, Publication 3518 Beauty Industry Federal Tax Guidelines, that can be used for this purpose.

This minimal reporting requirement will go a long way in solving the widespread tax cheating that currently occurs in the professional salon industry. Today, thousands of law-abiding salon owners who pay their taxes, are placed at a competitive disadvantage by a persistent minority of the salon industry who do not report or underreport their revenues and tips. Legitimate salon owners are hurt when some stylists leave to become independent contractor "booth renters" believing their take home pay will increase because they won't report all (or any) of their revenues and tips. Legitimate salon owners are forced to replace the departed stylist, as well as losing the customers who follow the stylist to the underground economy.

Simple equity requires that salon owners not be asked to pay tax on tips that others choose to pay to their employees. The cosmetology industry should be placed on an equal footing with the restaurant and food delivery industries. Further, law-abiding salon owners should not be penalized and placed at a competitive disadvantage because they pay their taxes while others in the industry do not.

This identical bill was introduced in the other body by Sen. Rick Santorum. (R-PA). While Congress is not expected to act on this legislation in the waning days before adjournment, this legislation lays down a marker for reintroduction next Congress when we will push for enactment.

I urge my colleagues in the House to review this proposed legislation and to cosponsor the "Cosmetology Tax Fairness and Compliance Act" when it is reintroduced in the 107th Congress.

TRIBUTE TO LEO JOHN DEJAN

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. DIXON. Mr. Speaker, I am pleased to pay tribute today to musician and octogenarian Leo John Dejan, of Los Angeles, California.

Born on May 4, 1911, in New Orleans, Louisiana, to John Dejan and Elodie Planchard Dejan, Leo began his musical career when at the tender young age of seven, he learned to play the violin. He went on to master the trumpet and by the time he was twelve, young Leo was earning money as a professional musician. In 1923 along with his brother, Harold, he formed his own band, calling it "The Original Moonlight Serenaders." The following year, Leo changed the name of the band to the "Black Diamond Orchestra." The Black Diamond's were very popular throughout New Orleans, French Quarter and on Lake Pontchartrain, playing at carnivals, in parades, and

at dances. On occasion, they would play with legendary jazz musician Louis "Satchmo" Armstrong.

Leo studied music at Xavier University in New Orleans. He became the school's bandmaster and in 1933 organized the university's first school band. While attending Xavier, he met Sister Katherine Drexel, founder of the Order of the Blessed Sacrament who on October 1, 2000, was canonized by Pope John Paul. Little did he know the significance of their meeting at that time, but today Leo is profoundly moved by his chance encounter with this remarkable woman, a former Philadelphia socialite and philanthropist, who would become Saint Katherine.

With the outbreak of World War II, Leo volunteered for duty with the United States Navy, serving as bandmaster at Lake Pontchartrain Naval Station. For a time, Leo's band could be heard every Sunday evening on the "Skyway to Victory" radio program on New Orleans radio station WWL.

On July 16, 1937, while still in the Navy, Leo married Helena Charbonnet. The couple had three children: son, Leo, Jr., and daughters Glynis Ann and Debbie Marie. The Navy transferred Leo and his family to Treasure Island in San Francisco, California, in 1944. After the war, they returned to New Orleans where Leo taught mathematics and music at Xavier, and returned to his musical career playing lead trumpet in local bands.

After his service with the Navy ended, in 1947 Leo and Helena moved the family West to Los Angeles. There he joined the city of Los Angeles' Bureau of Music as a contractor to the Parks and Recreation Department. He provided concert, Dixieland, and "longhair" bands to the city and played with the summer circus and Dixieland bands around town. He also did studio recording work, cutting sound tracks and backing sides.

As Leo's family blossomed and musical engagements became less reliable, he went to work for the United States Postal Service, operating out of Los Angeles' famed Ambassador Hotel. He continued to play in occasional jazz sets around town and in 1975 signed with Crescent Jazz Productions to appear in their "A Night in New Orleans" European tour, featuring the New Orleans Society Orchestra and Eagle Brass Band. Leo and Helena packed their bags and went abroad, where Leo played to packed audiences in Belgium, England, Germany, and Austria. It was an unforgettable occasion that Leo holds dear to his heart.

In 1992, Leo's beloved Helena passed away. For fifty-five years, she was his best friend, the love of his life, and his soul mate. He now lives with daughter Glynis and her husband, retired Los Angeles Superior Court Judge Dion Morrow, who have welcomed him into their warm and loving home. Despite his young 89 years, Leo continues to work in the community by volunteering for the Los Angeles County Sheriff's Department, working out of the Ladera sub-station.

When not volunteering, Leo, who will turn 90 on May 11, 2001, remains a life member of AFM Local 47. He is an active bowler and a member of the seniors clubs of Saint Bernadette Church and the Claude Pepper Senior Citizens Center. He is listed in Who's Who of American Jazz musicians, and when the spirit moves him, can often be found doing a set or two on his trumpet.

Mr. Speaker, it is a sincere pleasure to recognize the outstanding contributions of Leo John Dejan to the music industry and to jazz lovers everywhere. I am proud to call him my friend and on behalf of the residents of the 32nd Congressional District, I congratulate him on his exemplary career.

H.R. 4788: SMALL WATERSHED REHABILITATION

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. COMBEST. Mr. Speaker, yesterday, October 24, 2000, the other body adopted H.R. 4788, a bill that contained a number of provisions important to U.S. agriculture and the rural areas of our country.

Among other items in this bill is legislative language contained in Title I of H.R. 728, the Small Watershed Rehabilitation Amendments, a bill Mr. LUCAS of Oklahoma introduced early in this Congress. The House adopted this legislation on July 17, 2000, but it was not acted on in the other body until yesterday.

The Small Watershed Rehabilitation Amendments of 2000 will authorize the Department of Agriculture to provide cost-share funding for local sponsors to rehabilitate dams that were built with USDA assistance. Under the Act, the Secretary of Agriculture will establish a system for approving requests for rehabilitation assistance, taking into account health, safety, environmental and cost considerations. Before approving a rehabilitation project for USDA funding, the Secretary will examine and consider all feasible options for rehabilitation, which under the bill may include correcting damage or deterioration of the structure, upgrading the structural measures to meet changed land use conditions or safety needs within the watershed, and decommissioning the structure.

The legislation is clear that a local sponsor may not be required to engage in a particular form of rehabilitation, and a project may not commence unless the Secretary and the local sponsor agree on the form of rehabilitation. At the same time, the Secretary will not place any specific form of rehabilitation assistance at a disadvantage when evaluating applications for rehabilitation assistance. It is expected that NRCS will follow the normal procedures for Federal agencies for water resource planning.

In closing, Mr. Speaker, the legislation contained in H.R. 4788 for dam rehabilitation under the small watershed program is important to rural areas, and I am pleased we have sent it on to the President for enactment. I commend the gentleman from Oklahoma, Congressman FRANK LUCAS, who is a valued member of the House Agriculture Committee, for his hard work and dedication to this issue.

RETIREMENT OF HON. TILLIE FOWLER

SPEECH OF

HON. OWEN B. PICKETT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2000

Mr. PICKETT. Mr. Speaker, I rise today to pay tribute to my colleague for whom I have

a profound sense of respect, the Honorable TILLIE FOWLER of Florida. Congresswoman FOWLER has a long and distinguished career of public service. TILLIE came to Washington to help secure the futures of our children by tackling and improving such things as education and defense. It is with the latter, that I have had the privilege to work closely with Tillie on the Armed Services Committee.

TILLIE's expertise in the field of defense and national security came as a result of her passion, dedication and commitment to our proud men and women who serve today in the armed services. As the Representative from the Jacksonville area, she has been a well-spoken advocate for our soldiers, sailors and marines standing watch, and has continuously worked to improve quality of life and readiness of our forces. She has earned respect from both sides of the aisle for her unrelenting efforts to make a difference in the lives of our children.

Congresswoman FOWLER will be missed in the House of Representatives in January 2001. I wish the best for her and her family in the future challenges they face, and thank her for her service to Florida and the United States.

IN HONOR OF MR. MICHAEL CUDAHY

HON. THOMAS M. BARRETT

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. BARRETT. Mr. Speaker, today I honor Michael Cudahy, a distinguished constituent from Milwaukee.

Mr. Cudahy is a highly successful businessman whose innovation and hard work resulted in the founding of Marquette Medical Systems. His company is not only a leader in global production of medical diagnostic equipment, it has provided citizens of Wisconsin with jobs for 33 years.

In addition to his business savvy, Mr. Cudahy has donated his personal resources to programs and institutions that work to better the Milwaukee community. In 1996, Mr. Cudahy donated \$4 million to the construction of Discovery World and IMAX theater. The theater presents a signature film that guides the audience on an educational tour of Milwaukee, before each of its feature films. The film was created and narrated by Mr. Cudahy.

In the spirit of education, Mr. Cudahy contributed \$10 million to Marquette University for a mathematics and computer science building. Additionally, he donated \$2.5 million to the Medical College of Wisconsin for a cardiovascular center. Mr. Cudahy, who believes that "an ounce of prevention is better than a pound of care," he has worked to improve the quality of life for children in Milwaukee.

The YMCA of Metropolitan Milwaukee received a generous contribution of 55 acres and \$5.5 million from Mr. Cudahy in 1998. The 55 acres that were once part of Mr. Cudahy's childhood home have been used to build the John C. Cudahy YMCA, a recreation facility that provides educational and fitness programs to area youth. Most recently, Mr. Cudahy made history with his \$3 million donation to the Boys & Girls Clubs of Greater Milwaukee. The contribution was the largest ever received

by the club in its 113 year history and will be used in attempts to double membership.

Mr. Speaker, I commend Michael Cudahy in his efforts to improve the community and better the lives of its citizens. From the beginning, Michael Cudahy's innovation, vision, and dedication have been an asset to the city of Milwaukee. His generous nature and positive outlook on life are an inspiration to all of us.

CONCERNING VIOLENCE IN
MIDDLE EAST

SPEECH OF

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2000

Mr. CARDIN. Mr. Speaker, I rise today in strong support of H. Con. Res. 426, concerning the recent disturbing violence in the Middle East. The resolution expresses the sense of Congress that the success of the Middle East peace process depends on the leadership of the Palestinians abandoning the use of violence and joining with the Prime Minister Barak of Israel in a true search for peace.

Two weeks ago, Mr. Speaker, I rose with a heavy heart, after learning about the latest violence in Israel. News reports at that time told us that two Israeli reserve soldiers had been killed in the West Bank town of Ramallah. The Israeli soldiers were detained by the Palestinian police after they inadvertently made a wrong turn down a street, and were taken to a police station. Apparently a mob of Palestinians broke into the police station, slaughtered the Israeli soldiers, and paraded their bodies through the streets.

This horrendous incident followed on the heels of days of violence by the Palestinian people. The tragedy of the return to street violence was aggravated by the refusal of the Palestinian leadership, and Yasser Arafat in particular, to move aggressively to restore order to the troubled region. Rather than exercise its law enforcement responsibilities, the Palestinian leadership actually encouraged the violence.

Mr. Speaker, the resolution before us today rightly condemns the Palestinian leadership for encouraging the violence and doing so little for so long to stop it, resulting in the senseless loss of life. Mr. Arafat must call upon the Palestinian leadership to refrain from any exhortations to public incitement, and Mr. Arafat must use his security forces to act immediately to stop all violence, to show respect for all holy sites, and to settle all grievances through negotiations. His total failure to take such actions necessitates our action today on this resolution.

I call on Mr. Arafat to live up to his obligations under the Oslo Accords, and to maintain public order and calm in the West Bank through a vigorous use of the Palestinian police force. Let us remember that the Palestinians now fully control over 40 percent of the West Bank and Gaza, with over 95% of the Palestinian population under the civil administration of the Palestinian Authority. As the Palestinians gain greater authority and control over their domestic affairs, they also must shoulder the additional security responsibilities that come hand-in-hand with territorial control.

The Palestinians must ensure the safety of both Israelis and Palestinians within their areas of control.

Mr. Arafat has personally assumed responsibility over all PLO elements and personnel in order to assure the maintenance of peace, law, and order in the West Bank. Just two weeks ago Mr. Arafat allowed a Palestinian mob to destroy Joseph's Tomb, a Jewish holy site in the West Bank, just hours after Israeli troops withdrew and allowed the Palestinian police to take control. Mr. Arafat has again violated his obligations under the Oslo Accords to "ensure free, unimpeded and secure access to the relevant Jewish holy site[s]" and to "ensure the peaceful use of such site[s], to prevent any potential instances of disorder, and to respond to any incident."

The statements attributed to Mr. Arafat following the recent Arab League summit only exacerbate the problem of his failure to be a leader for peace. Upon his return to Gaza on October 22, 2000, Mr. Arafat stated: "We will continue on to Jerusalem, the capital of the independent Palestinian state. If Barak wants to, he will accept it. And if he doesn't accept it, he can go to hell." Those are not the words of one seeking to put the peace process back on track.

Moreover, it is very troubling to see that Arab leaders legitimized the use of violence by the Palestinians as a negotiating tactic while Mr. Arafat praised those involved in violent attacks against Israelis. The Arab League also called for a downgrading of existing ties with Israel and for a halt in the establishment of any new relations with the Jewish state.

Mr. Speaker, each of us prays for peace in the Middle East. The only way to achieve peace is for the Palestinian leaders not only to condemn terrorism, but to take steps to stop it. We must also unequivocally state to Mr. Arafat, and to the countries of the Arab League, that Israel will only yield territory as the result of negotiations through a legitimate peace process, and that the United States stands firmly against the continued promotion of violence and terrorism by the Palestinian leadership, and specifically Mr. Arafat.

TRIBUTE TO ANN MARIE
COMISKEY

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. LEVIN. Mr. Speaker, I rise to honor Ann Marie Comiskey who will be named Troy's Distinguished Citizen of the Year by Leadership Troy at their annual community awards banquet on Wednesday, October 25, 2000.

Ann was nominated for this prestigious award by the Troy Women's Association. She has been involved with this group for the past 23 years where she has served in numerous capacities, including President, Chaplain, Historian, Membership Chair, Parliamentarian and several other positions on the Board of Directors. Ann has also served on multiple committees to organize many of the Association's events.

Ann Comiskey's dedication to her community extends beyond the Troy Women's Association. She is currently a member of St. Anastasia Church where she serves on the

Missions Committee and has served as a Eucharistic Minister and a teacher of Catechism. Ann has shared her knowledge in education and counseling on the Advisory Committee to the Troy Adult and Community Education Department, President of the Wayne Monroe Adult and Community Education Association, and is a member of the Michigan Adult and Community Education Association. She is currently one of the Vice Presidents of the Boys and Girls Club of Troy where she has devoted her time to the Taste of Troy Committee and is also the Chair of the 50/50 Raffle and Sustaining Membership Committees.

Mr. Speaker, I ask my colleagues to join me in recognizing a remarkable woman for her energy and enthusiasm during her years of dedication and devotion to the people of her community. Ann Comiskey is, indeed, a distinguished citizen.

A TRIBUTE IN THE MEMORY OF
DR. MARVIN WEINREB

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Ms. LEE. Mr. Speaker, I rise with a great sense of loss as I pay tribute to Dr. Marvin Weinreb, a prominent East Bay community leader, friend and humanitarian, who left us on October 14, 2000, at the age of 74.

Dr. Weinreb donated his time and efforts to areas throughout the world in need of his medical expertise. He both piloted planes and gave medical assistance for the organization Los Medicos Voladores ("The Flying Doctors"), which provides volunteer medical aid to people in Central America. A dedicated doctor, Dr. Weinreb took time to help educate other doctors and train and encourage people interested in the medical profession.

Dr. Weinreb demonstrated a lifelong devotion to the Jewish, East Bay and International Communities. He was a former president of Temple Beth Shalom in San Leandro, the Jewish Federation of the Greater East Bay, and the Judah L. Magnus Jewish Museum in Berkeley, as well as a former chair of the Southern Alameda County campaign for the United Jewish Welfare Fund. He also served as a school board trustee in Hayward from 1965 to 1977.

Dr. Weinreb graduated from Lehigh University in Pennsylvania, and attended medical school at the University of Chicago. He then practiced dermatology in the Bay Area, and held the post of clinical professor of dermatology at the University of California, San Francisco, Medical School.

Dr. Weinreb and five members of The Flying Doctors were en route to a conference when their plane went down near Ensenada, taking the lives of all the passengers.

Services were held for Dr. Weinreb at Temple Beth Shalom, in San Leandro, California, on October 19, 2000. The community has lost a great person and dedicated humanitarian. My thoughts and prayers are with all of these families at this difficult time.

PROVIDING FOR CONCURRENCE BY HOUSE WITH AMENDMENT IN SENATE AMENDMENT TO H.R. 4868, TARIFF SUSPENSION AND TRADE ACT OF 2000

SPEECH OF

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2000

Mr. KUCINICH. Madam Speaker, I rise today in support of H.R. 4868, the Miscellaneous Trade and Technical Corrections Act. This legislation is of great importance and its passage must be concluded rapidly in order to be voted on by the 106th Congress.

This legislation contains vital provisions from H.R. 1622, the Dog and Cat Protection Act, a bill which bans the import, export, and sale of products containing dog and cat fur. This issue is of the highest moral imperative. An estimated 2 million dogs and cats are killed each year for their fur as part of the international fur trade. These animals are kept in deplorable conditions, subjected to unbearable treatment and face brutal deaths including clubbing and skinning alive. This abuse of animal rights must be stopped.

There is strong support for this legislation in Congress. The Dog and Cat Protection Act has broad bipartisan backing and 93 cosponsors. The Miscellaneous Trade and Technical Corrections Act was approved unanimously by both the House and the Senate. The concern for animal welfare is also shared by the American people. Over 65 million households have a dog or cat. In my own district of Cleveland, Ohio a local Television report by Dick Goddard succeeded in raising public awareness on this issue. His commendable work encouraged thousands of Cleveland residents to express their opposition to this abusive treatment of animals.

Madam Speaker, I rise today to urge Congress to finish the Conference Report on H.R. 4868, and allow a vote on this vital piece of legislation. I believe that every effort should be made to ensure that the 106th Congress is allowed to vote on this issue. Americans deserve to be protected from unknowingly participating in this brutal trade.

NATIONAL SCIENCE EDUCATION ACT

SPEECH OF

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2000

Mr. PAUL. Mr. Speaker, I urge my colleagues to reject the National Science Act (H.R. 4271), which violates the limits on congressional power found in Article 1, section 8 and the 10th amendment to the Constitution by using tax monies unjustly taken from the American people to promote the educational objectives favored by a few federal politicians and bureaucrats. As an OB-GYN, I certainly recognize the importance of increasing the quality of science education as well as undertaking efforts to interest children in the sciences. However, while I share the goals of the drafters of this legislation, I recognize that

Congress has no constitutional authority to single out any one academic discipline as deserving special emphasis. Instead, the decision about which subjects to emphasize should be made by local officials, educators and parents.

H.R. 4271 not only singles out science for special emphasis, certain positions of the bill will lead to a national science curriculum. For instance, the bill calls for the Department of Education and the National Science Foundation to coordinate and disseminate information on "standard" math and science curricula as well as licensing requirements for teachers of math, science, engineering or technology. While local school districts are not forced to adopt these standards, local schools will be pressured to adopt these standards because they are the ones favored by their DC-based overlords. I would also ask the drafters of this bill what purpose is served by spending taxpayer moneys to create and disseminate a model curriculum at the federal level if their intent is not to have local schools adopt the federally-approved model?

I also object to the provision of this bill providing special assistance to science teachers for training and professional development as well as grants for so-called "Master Teachers." Of course, I recognize that, like other citizens, teachers are underpaid because they are overtaxed. This is why I have introduced the Teacher Tax Cut Act (H.R. 937) which provides all teachers with a \$1,000 tax credit. H.R. 937 effectively raises teacher salaries by lowering their taxes. In contrast H.R. 4271 raises the salaries of certain congressionally-favored educators by effectively cutting the pay of engineers, doctors, truck drivers, waiters, and even their fellow educators. Mr. Speaker, I cannot find any constitutional nor moral justification for Congress to redistribute money to any favorite class of professionals.

If the steady decline of America's education system over the past thirty years has shown us anything, it is that centralizing control leads to a declining education system. In fact, according to a recent Manhattan Institute study of the effects of state policies promoting parental control over education, a minimal increase in parental control boosts students' average SAT verbal score by 21 points and students' SAT math score by 22 points! The Manhattan Institute study also found that increasing parental control of education is the best way to improve student performance on the National Assessment of Education Progress (NAEP) tests. Clearly, the drafters of the Constitution knew what they were doing when they forbade the Federal Government from meddling in education.

In order to put education resources back into the hands of the American people I have introduced the Family Education Freedom Act (H.R. 935). This act provides a \$3,000 per child tax credit for parents to help cover K-12 education expenses. I have also introduced the Education Improvement Tax Cut Act (H.R. 936), which provides a \$3,000 tax deduction for contributions to K-12 education scholarships as well as for cash or in-kind donations to private or public schools. HRs 935 and 936 move control of education resources back into the hands of the American people and help ensure parents can provide their children an excellent education. In fact, since the tax credits contained in H.R. 935 and H.R. 936 may be used to help finance the purchase of items

necessary for a science education, such as labs equipment and computers, these bills will particularly benefit those citizens who wish to improve science education. I therefore urge my colleagues to reject the failed, unconstitutional command-and-control approach of H.R. 4271 and instead embrace my legislation to return control of education resources to the American people.

SUPPORTING THOSE WHO REAFFIRM THE OCCURRENCE OF THE ARMENIAN GENOCIDE

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. CAPUANO. Mr. Speaker, I rise today to express my disappointment that the House of Representatives chose not to consider H. Res. 596 last Thursday. This was the second time this resolution had been pulled from consideration, despite pledges by the leadership that the US would go on record to affirm their support for the Armenian genocide. It now appears that the House will not have such an opportunity before we adjourn the 106th Congress.

This resolution recognized the suffering of nearly two million Armenians from 1915 through 1923, as the Ottoman Empire strove to wipe out an entire race of men, women, and children. Those who were not murdered were effectively removed from their homes of 2,500 years in what is now modern day Turkey.

It called upon the President of the United States to do three things. Ensure that US foreign policy reflects consideration and sensitivity for human rights, ethnic cleansing, and genocide documented in US records relating to the Armenian Genocide and the consequences of the Turkish court's failure to enforce judgments against those responsible for committing genocide; recognize, during his annual commemoration of the Armenian Genocide on April 24th, that this was a systematic and deliberate annihilation of 1,500,000 people, and reflect upon the United States' effort to intervene on behalf of Armenians during the genocide; and finally, in his annual commemoration of the Armenian Genocide, emphasize that the modern day Republic of Turkey did not conduct the Armenian Genocide, which was perpetrated by the Ottoman Empire.

It was eighty-five years ago that Ottoman leaders used the guise of war as an opportunity to eliminate the Armenian population from the Empire. What began as confiscation of Armenian property in order to "support" the war effort, ended with the murder of 1.5 million people and the deportation of 500,000 others.

In May 1915, the Allied Powers of World War I charged the Ottoman Empire with a "crime against humanity" and vowed to hold responsible those involved in committing genocide. Despite commitments by the Allied Powers and indictments by the post-war Turkish government of the top leaders involved in perpetrating the Armenian genocide and the destruction of Armenian property, justice has not been served to those responsible for the atrocities against Armenians.

It is a shame that America does not have the courage to support the 2 million Armenians that suffered through a genocide. We

should look more towards our friends in the international community who have not been deterred in their recognition of the annihilation of Armenians for what it really was—a genocide. The European Parliament and the United Nations have recognized and reaffirmed the Armenian genocide as historical fact, as have the Russian and Greek parliaments, the Canadian House of Commons, the Lebanese Chamber of Deputies, and the French National Assembly. It is time for America to venerate Armenians who suffered at the hands of the Ottoman Empire. And let me stress that I am not speaking of the government of modern day Turkey, but rather its predecessor, which many of Turkey's present day leaders helped to remove from power.

I commend the bravery and dedication exhibited by the Armenian people to have their story heard. I wholeheartedly supported this resolution and am disappointed that cowardliness reigned supreme to prevent its consideration in the U.S. House of Representatives.

TRIBUTE TO RON PACKARD

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. MATSUI. Mr. Speaker, I rise today to pay tribute to Congressman RON PACKARD as he prepares to retire at the end of the 106th Congress and conclude his remarkable career as an elected representative. For 18 years, I have had the honor of serving with my distinguished California colleague. Upon his arrival in 1982, Mr. PACKARD immediately immersed himself in many of the most significant policy debates of the time by serving on the Transportation and Science Committees. His vast intellect and ability to work with Members in a bipartisan fashion became apparent immediately, foreshadowing a long-standing career of effective and responsible leadership. Mr. PACKARD eventually made the transition to the Appropriations Committee where he went on to become one of the most well respected Chairmen of the Military Construction Subcommittee, and later the Energy and Water Subcommittee. Through his extraordinary work, he has become one of the most ardent fiscal hawks, has legislated against wasteful government spending and has continuously fought to solve the many immigration challenges confronting the state of California. Also, Mr. PACKARD has been a constant champion of the men and women who serve in our armed forces, and has led with a clear vision in working to meet the water, environmental, and energy needs of California and our nation.

But given his lifetime of public service, Mr. PACKARD's success in Congress comes as no surprise. That service began in the military as a dentist with the U.S. Navy Dental Corps at Camp Pendleton, California located in the congressional district he would later represent. He soon became active in local and civic affairs, first serving on the Carlsbad school board, then the Chamber of Commerce, served two years on the Carlsbad City Council and eventually became the mayor of Carlsbad in 1978. It was during these years that the people of the 48th district in California learned of Mr. PACKARD's ability to fairly and justly serve those he represented, and as a result, they

entrusted him with their congressional seat by electing him as a write-in candidate in 1982.

Mr. PACKARD's career has been exemplified by the values of hard-work, honor and integrity that are all too often absent in society. Through his ability to work in a bipartisan manner, he has been one of the most potent and influential leaders in this body and for 18 years has worked tirelessly to serve his constituents and our nation. Although my colleagues and I will miss his presence, we wish him well as he prepares for retirement and pursues new challenges. RON, best wishes to you and your family.

IN HONOR OF JOHN F. HENNING

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Ms. PELOSI. Mr. Speaker, I rise to pay tribute to one of organized labor's greatest leaders on the occasion of his 85th birthday. John F. "Jack" Henning has had a long and distinguished career on the frontlines of the labor movement, fighting passionately for justice, equality, and human rights here and around the world. It is my privilege to commend and thank him for his lifetime of leadership.

Jack Henning was born in San Francisco in 1915 to hard-working parents of modest means. Hardworking himself, he graduated from St. Mary's College with a degree in English literature. In 1938, he started working with the Association of Catholic Unionists in San Francisco and began his steady climb within the labor movement. By 1949, he was working for the California Labor Federation, the official AFL-CIO organization for California, as a senior staff member, and in 1970, the Federation selected him as Executive Secretary-Treasurer. He held that position until 1996.

In addition to his service with the California Labor Federation, Jack served the cause of organized labor from within the halls of government. From 1959-1962, he served as the Director of the California State Department of Industrial Relations. He then served in the Kennedy and Johnson administrations as the U.S. Under Secretary of Labor. In these positions and afterward as an advocate, he worked consistently for justice and fair treatment of workers. He was instrumental, for example, in securing organizing rights for California's farm workers, in preventing restaurants from counting tips as wages under minimum wage laws, and in encouraging the labor movement to take strong stands for civil rights.

Jack has served on the Board of Regents of the University of California, where he fought to divest the University's holdings in South Africa under apartheid, and the Board of Trustees of St. Mary's College. He has sat on San Francisco's Public Welfare Commission and the Fair Employment Practices Commission and was the U.S. ambassador to New Zealand from 1967-1969.

In 1999, the University of California at Berkeley's Center for Labor Research and Education created the John F. Henning Center for International Labor Relations in recognition of his tremendous contributions to the labor movement. The Henning Center focuses on strategies for global unionism and the impact

of globalization on workers around the world. Jack was also named Distinguished Labor Leader in Residence at the University of California's Institute of Industrial Relations.

Jack Henning has been an unfailing voice on behalf of the working women and men of the United States and of the world. We are all indebted to his leadership.

It is my honor to join his seven children, John Junior, Brian, Patrick, Nancy, Daniel, Thomas, and Mary, and his many friends and colleagues in wishing him a Happy Birthday.

HONORING JANET DENNIS ON HER RETIREMENT

HON. JOHN ELIAS BALDACCI

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. BALDACCI. Mr. Speaker, I rise today to pay tribute to a dedicated public servant who will be leaving my staff at the end of this year. Janet Dennis, Field Representative in my Bangor, Maine, District Office, will retire after nearly 35 years of congressional service.

It has been said that no government, regardless of its history and structure, can be better than the people who make it work. People like Janet Dennis, then, are the reason why our government is the best in the world. Janet is as dedicated a public servant as you will ever meet. She has worked hard every day to make government work for people.

Janet has been invaluable to me. I came to rely heavily on her advice and greatly appreciated her ability to identify and head off problems before others even realized they were coming. She has provided outstanding leadership to my district staff, and frequently has been asked for advice on handling complicated matters. I know that we all have learned much from Janet and are better for our time spent working with her.

Her good judgment, integrity and dedication have been an asset to my office, and to the people of Maine. Janet has never said no to a case. Rather, she has taken on challenging cases and pursued them relentlessly. She has treated constituents and colleagues alike with respect. She has also been an excellent driver, getting me everywhere I need to be in a very large district. She seems to cover an awful lot of ground in a very short time—and I appreciate it.

For more than three decades, Mainers have had the benefit of Janet's efforts. She worked for Senators Ed Muskie and George Mitchell before joining my staff, and brought with her a wealth of experience and institutional knowledge. As she retires, she leaves a void that will be difficult to fill.

There is no question, however, that this retirement is well deserved. I know that Janet is looking forward to spending more time with her husband, Richard, and her children and their families. I'm sure that she won't miss the long drive from her home in Waterville to the Bangor office, and that she will revel in having extra time to spend at camp during Maine's glorious summer months.

Janet Dennis has been a model public servant. Moreover, she has been a joy to work with every day. On behalf of myself, my family and the people of Maine, I am honored to have this opportunity to publicly thank Janet,

and to wish her all the best as she enters this new phase of her life.

CONCERNING VIOLENCE IN
MIDDLE EAST

SPEECH OF

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2000

Mr. KNOLLENBERG. Mr. Speaker, today the House of Representatives is voting on House Concurrent Resolution 426 regarding the current violence in the Middle East. I believe it is appropriate for the United States to express solidarity with Israel, but it is with reluctance that I am voting in favor of this resolution.

I am concerned about the timing and perception of this resolution. The United States has an essential role to play as facilitator of peace. The United States must be careful to encourage the peace process, and not detract from it. I am concerned this resolution may be perceived as placing entire blame for the violence on the Palestinian leadership. That is not the case, and I hope it will not be perceived in that way. In fact, in order to reach a long-lasting peace, both sides will eventually have to accept some responsibility for the current situation.

I remain a strong supporter of Israel and the U.S.-Israel relationship. But it is clear the demonstration by Ariel Sharon in Jerusalem's Old City was an ill-advised provocation. And there probably couldn't have been a worse time for a provocation. Mr. Sharon must have understood how his actions would be perceived. In fact, the Israeli government understood this danger, which is why they provided Mr. Sharon with a security force.

At the same time, Chairman Arafat has clearly used Mr. Sharon's visit as an opportunity to drastically change the dynamics of the peace process. With the recent violence, including the desecration of the West Bank holy site of Joseph's Tomb, Mr. Arafat's ability and willingness to prevent violence and maintain peace throughout Palestinian controlled areas have come into serious question.

On two occasions imprisoned Palestinian militants were released from jail. Although there have been some assurances made that these individuals are being rearrested, militant Palestinian organizations have disputed that, declaring most remain free. In addition, incitement to violence continues to be broadcast from Palestinian Authority radio and television stations. I am hopeful Mr. Arafat will have the ability and willingness to address these issues and restore calm and stability to the areas he is responsible for controlling.

Now is the time for responsible leaders to call on their people to abandon violence as a means of achieving their goals. I am hopeful both leaders will work to restore stability to the region, condemn the use of violence and reiterate their commitment to the peace process. The violence must stop in order for the parties to re-engage in that process.

HONORING OUR SENIORS

HON. J.C. WATTS, JR.

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. WATTS of Oklahoma. Mr. Speaker, we all realize that maintaining good health is imperative to enjoying a long, fulfilling life. And reauthorizing the Older Americans Act is an excellent way for us to provide seniors with the opportunity to live life to its fullest.

The 1965 Older Americans Act created a series of federal programs specifically designed to meet the service needs of seniors. Although older persons may receive services under other federal programs, the Older Americans Act is the major vehicle for organizing and delivering supportive and nutrition services to senior citizens.

Thousands of elderly and disabled Americans rely on quality services such as those provided by the Administration on Aging, and programs like nutrition services, family care giver, elder abuse prevention, long term care, senior community service employment and Native American programs for the elderly.

We, in Congress, must make sure that seniors receive these much needed services and benefits in the most efficient manner possible. Along with state and local agencies, including national associations like Green Thumb, Congress must work diligently to ensure that older Americans can look forward to long, productive lives within their own communities and around the nation.

Seniors serve as grandparents who provide care for numerous children, strengthen families, tutor students, operate computers, teach crafts, work as librarians, and provide many other important community services. Through these efforts, and countless others, senior citizens have helped to make America the great country it is today and will continue to make significant contributions for years to come. Therefore, I challenge all Americans, young and old, to work with me on issues critical to our seniors.

AMERICAN HOMEOWNERSHIP AND
ECONOMIC OPPORTUNITY ACT OF
2000

SPEECH OF

HON. ASA HUTCHINSON

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2000

Mr. HUTCHINSON. Mr. Speaker, I rise today to commend Chairman LEACH, Chairman LAZIO, Mr. LAFALCE, and my colleagues on the House Banking Committee for their tireless work on moving legislation that brings some much-needed reforms to the housing industry. For the most part, S. 1452 is a product of which we should all be very proud.

Furthermore, I am pleased to see that several components of H.R. 1776, the Housing and Economic Opportunity Act, have been included in S. 1452. As my colleagues may remember, H.R. 1776 passed our Chamber earlier in the year by an overwhelming and bipartisan vote of 417 to 8. However, there is one particular omission that concerns me. Unfortunately, this omission may ultimately have an

impact on the number of families who may realize the American dream of homeownership.

The provision that has been omitted from S. 1452 is section 102 of H.R. 1776. Section 102 requires that the Federal Government perform a housing impact analysis before it issues new regulations. The impact analysis would determine if a significant negative impact on affordable housing would result from those new regulations. "Significant" would be defined as increasing consumers' cost of housing by more than \$100,000,000 per year. Further, Mr. Chairman, H.R. 1776 stipulates that the private sector would have an opportunity to submit an alternative to the proposed regulation if it would have less of a negative impact on the cost of homeownership.

As with the other provisions in title I of H.R. 1776, the goal of the housing impact analysis is to alert federal agencies and the general public of the impact of regulation on housing affordability. Ultimately, the objective would be to help bring down the cost of a home by minimizing regulations that pose a barrier to homeownership. The housing impact analysis addresses this issue by requiring the Federal Government to perform an "internal check" to see if the regulation might be constructed in a better way that would not lock individuals out of homeownership.

I see this internal check as a positive action, Mr. Speaker, and I am concerned that this worthy provision, a provision 417 of my colleagues supported, was left out S. 1452. I hope that this concept does not die with the closing of the 106th Congress, but is reviewed again next year, with the commencement of the 107th.

SAND CREEK MASSACRE

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. SCHAFFER. Mr. Speaker, on November 29, 1864, John M. Chivington and his troops invaded the Native American village of Sand Creek in southern Colorado. At least 150 Cheyenne and Arapaho Indians were murdered along the banks of Sand Creek. The stories of this massacre have been passed down through generations, however, the victims have not received the recognition they deserve.

Last year the Sand Creek Massacre National Historic Site Study Act was signed into law. This Act directed the National Park Service to study, survey, and locate the site of the Sand Creek Massacre and assess the suitability of making the site a part of the National Park Service. From this study, the Park Service identified 12,480 acres as the site of the massacre.

Since then, Senator CAMPBELL and I introduced legislation to designate the 12,480 acres as a National Historic Site. I have worked closely with the Kiowa County Commissioners as well as the landowners within the boundaries of the site to insure private property rights are protected. While the legislation authorizes the Park Service to negotiate for property from willing sellers only, traditional agricultural operations inside the national historic site will continue until the private property owners decide to sell their land. Additionally,

the bill will grant decedents of the Cheyenne and Arapaho tribes access to allow traditional observances on the land.

Mr. Speaker, I believe this legislation is long overdue, and this bill appropriately recognizes the massacre.

“CALIFORNIA RECLAIMED WATER
ACT FOR THE 21ST CENTURY”

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. GEORGE MILLER of California. Mr. Speaker, I am proud to join Senator BARBARA BOXER in introducing the California Reclaimed Water Act for the 21st Century.

The recent string of wet winters in California should not let us forget that water shortages and drought are quite normal in our State. I strongly believe that investment in reclaimed water technology—water recycling—can help us “drought-proof” any of our community water supplies in California.

Projects that recycle water result in a net increase in available local water supplies and can decrease the need for water that must be supplied and often imported from other sources. Because wastewater for recycling is available even when other water supplies are diminished, recycled water can assist in providing a long-term, reliable, local source of water even during droughts.

Our farmers, urban dwellers, sport and commercial fishing interests, tribes, mountain communities and environmentalists all seek a more reliable and a more certain water future. Recycled water plays an important part in meeting California’s water needs today and will play an even more important role in the next several decades.

About 3% of the water supply in the San Francisco Bay Area is now recycled. Water managers hope that eventually as much as 40% of the water will be recycled, perhaps as much as 500,000 acre-feet per year. California cities need planning help and financial assistance to find markets for the recycled water, and to construct the treatment and conveyance facilities needed to get the treated water to identified markets.

Recycled water can be used for irrigation of golf courses, parks, school lands, business campuses, and highway medians, and for groundwater recharge, wetlands development, and industrial purposes. We have to start thinking about recycled water as a critical component of the water supply picture in California.

Californians and government agencies have recently affirmed their support for water recycling, first with the passage of the California water bond last March, and more recently with the approval of the CALFED water agreement which broadly sets a course for California’s water future. Water recycling and reuse is a major element of both these new actions and policies.

The Federal government’s support for water recycling was initially authorized in the Reclamation Wastewater and Groundwater Study and Facilities Act of 1992. The Bureau of Reclamation’s so-called “Title XVI” program origi-

nally approved financial assistance for planning, design and construction of four water recycling projects in California. More projects were approved in 1996.

The legislation I introduce today builds upon these Congressional efforts, voter ballot initiatives and agency studies. Senator BARBARA BOXER has today introduced identical legislation in the U.S. Senate.

The bill authorizes a series of new Title XVI water recycling projects and directs the Secretary of the Interior to work with various water districts throughout the State on water recycling activities. Specific projects included in the bill are: Castaic Lake Water Agency; Clear Lake Basin Water Reuse Project; San Ramon Valley Recycled Water Project; Inland Empire Regional Water Recycling Project; San Pablo Baylands Water Reuse Project in Sonoma, Napa, Marin and Solano Counties; State of California Water Recycling Program; Regional Brine Lines (salt removal) in Southern California and in the San Francisco Bay and the Santa Clara Valley areas; Lower Chino Dairy Area Desalination Demonstration and Reclamation Project; and the West Basin Comprehensive Desalination Demonstration Program.

These projects will have the capacity to produce hundreds of thousands of acre-feet of useable water. Each acre-foot of recycled water produced by these projects will reduce the demand in California for imported water from the Bay-Delta and the Colorado River.

Unlike traditional Bureau of Reclamation water projects, these water recycling projects require a majority of funds to be locally provided. Consistent with Title XVI limitations on recycling projects as authorized in 1992 and 1996, the projects proposed in my bill require 75% local funding. Federal cost sharing is limited to 25%. Moreover, this bill specifies that none of the funds can be used for annual operation and maintenance costs. Those annual expenses are the responsibility of the local water districts or management agency.

I strongly believe that water recycling will continue to play an important and growing role in total water management strategies to provide a safe and sustainable water supply in California and in many other parts of the country. The water recycling projects authorized by the legislation I am introducing today are part of a long-term solution to some of California’s most difficult challenges. Water recycling is not the only solution. But, water recycling and water reuse can play a significant part as these projects can be designed, built, and placed in service within a short time.

CONCERNING VIOLENCE IN
MIDDLE EAST

SPEECH OF

HON. CAROLYN C. KILPATRICK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2000

Ms. KILPATRICK. Mr. Speaker, I rise today in opposition to House Concurrent Resolution 426, Concerning the Violence in the Middle East.

It is truly disheartening to witness the renewed violence that has plagued Israel and

the Palestinian territories for nearly thirty days. World leaders, especially President Clinton and United Nations Secretary-General Kofi Annan, have made numerous attempts to engage the Israeli and Palestinian leaders in negotiations toward an immediate cease-fire agreement that can realistically be implemented. Unfortunately, the latest emergency summit that took place in Egypt on October 16 had little impact on the cessation of violence or the pacification of hostilities.

The United States, as one of the foremost advocates of a sustainable Middle East peace agreement, must be very careful not to actively create conditions which defeat the very progress we are trying to achieve. H. Con. Res. 426 suggests that Palestinian Authority Chairman Yasser Arafat and the Palestinian Liberation Organization (PLO) are the sole parties responsible for the current tragic state of affairs. By supporting this type of inaccurate portrayal, we damage our credibility as a neutral party genuinely seeking to bring about a peaceful solution to an extremely volatile situation.

On October 4, 2000, the United Nations Security Council passed Resolution 1322, condemning the surging violence by both Israelis and Palestinians, and the destruction of holy sites in the city of Jerusalem. This resolution passed the Security Council without a single opposing vote—the United States was the only nation to abstain. Due to language in the UN measure regarding the provocation of violence by Likud Party leader Ariel Sharon, and the excessive use of force against Palestinian civilians by Israeli troops, H. Con. Res. 426 expresses its desire for the President exercise UN veto power to “ensure that the Security Council does not again adopt unbalanced resolutions addressing the uncontrolled violence in the areas controlled by the Palestinian Authority.” Yet H. Con. Res. 426 itself is undeniably unbalanced and fails to acknowledge any responsibility on the part of Israel.

The conflict in the Holy Land has endured far too long, resulting in the unnecessary loss of human life, creating a rift between ethnic and religious groups, and eroding the historic and aesthetic attributes of the area. A lasting peace agreement will require the commitment of both Israeli and Palestinian leaders and citizens. At this fragile moment in Middle East history, let us not assign blame to one group or another, but rather suggest shared responsibility. The goal of the U.S. is to foster mutual, unwavering effort on the part of both parties to desist from violence and to accept negotiation as the only means of political action.

Last month, I further demonstrated my commitment to the negotiation process by supporting H.R. 5272, the Peace Through Negotiations Act of 2000. This measure strongly encourages the Palestinian Authority not to undermine the prospects of peace by unilaterally declaring Palestinian Statehood. Before the United States can be accepted as an honest broker in these or any negotiations, it must demonstrate an even-handed approach with both parties. H. Con. Res. 426 undercuts this goal.

I extend my heartfelt condolences to the surviving family members of the individuals killed on both sides of the conflict. May the memory of those victims serve as a catalyst to end the cycle of violence.

MARKING THE 300TH ANNIVERSARY OF THE FOUNDING OF LEBANON, CT

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. GEJDENSON. Mr. Speaker, I rise today with pride to mark the 300th anniversary of the founding of Lebanon, Connecticut. Over the past three centuries, Lebanon has developed a rich history that is a source of pride for every resident and citizens across eastern Connecticut. As residents celebrate their past this year, they look forward to the many exciting opportunities for their community in the years ahead.

Lebanon was officially incorporated in October 1700. Covering more than 55 square miles, the community hosts some of the State's most productive dairy and poultry farms and spectacular open spaces. Lebanon is well-known throughout Connecticut for its rich and varied history.

The history of Lebanon is inexorably tied to the Revolutionary War. Arguably, Lebanon was at the center of Connecticut's efforts to support our quest for independence and freedom. The State's Revolutionary War Governor—Jonathan Trumbull—was a resident of Lebanon. He converted a building which had served as a general store into the State's "War Office." From this office, which still sits on the Lebanon Town Green, Governor Trumbull and the Council of Safety met frequently to direct the State's war effort. According to "Connecticut: A Fully Illustrated History of the State From the Seventeenth Century to the Present" by Albert Van Dusen, the Council, which consisted of many of the leading men of the day, including Samuel Huntington, William Williams and Deputy Governor Griswold, "put in untold hours of work at about 1,200 meetings, mostly held at the 'War Office.'" These men met at great risk to their personal safety throughout the War.

Governor Trumbull's extraordinary leadership and the resourcefulness and productivity of the people of my state earned Connecticut the distinction as the "Provisions State" during the War. The State provided everything from food and clothing to guns and ammunition for the Continental Army. During one of the darkest periods of the War, General Washington appealed to Governor Trumbull for supplies for the soldiers suffering through the winter at Valley Forge when colonies in the central part of the country failed to provide promised rations. According to Van Dusen, Governor Trumbull "immediately ordered Commissaries Henry Chamberlain and Peter Colt to take \$200,000, earlier allocated to cattle purchases, and scour the countryside for live beef. The cattle were driven in herds by Champion and his son to Valley Forge. The first herd was devoured within 5 days by the ravenous soldiers."

In addition to the many contributions of Governor Trumbull, the men of Lebanon played a crucial role in the War effort. More than 670 men from Lebanon served in the Continental Army beginning with the Battle of Bunker Hill through to victory at Yorktown. It is estimated that this figure represented about half of the total adult population of the community. Lebanon also played host to French forces under

the command of Duke de Lauzun between November 1780 and June 1781.

Today, we stand more than two centuries removed from the end of the Revolution. However, the important role of Lebanon in one of the most defining moments in our nation's history remains clear on the landscape and in the spirit of the community. The historic buildings remain on the Town Green and the rich history is maintained through the work of the Lebanon Historical Society and the new Lebanon History Museum and Visitors Center. It remains alive in the hearts of hundreds of people who gathered last month to reenact a Revolutionary War encampment.

Over the past 300 years, Lebanon has grown, changed and prospered. Although agriculture remains important, the Town's economy has changed significantly with tourism becoming increasingly important. Lebanon retains much of its rural character and its rich history, incredible mile-long Town Green and natural resources make it an integral part of the Quinebaug and Shetucket Rivers National Heritage Corridor.

Mr. Speaker, I am proud to join with the residents of Lebanon in celebrating the community's 300th birthday. We are united in the knowledge that the next 100 years will be as productive and proud as the past three centuries.

IN MEMORY OF THEODORE M. BERRY

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. PORTMAN. Mr. Speaker, I rise today to pay tribute to Theodore M. Berry, a local hero who passed away on October 15, 2000. Over the past century, Ted had a profound impact on the Cincinnati area, and our nation, as a civic leader and civil rights advocate.

Ted was born in Maysville, KY, on November 8, 1905. Shortly thereafter, he moved to Cincinnati, graduating as the valedictorian from Cincinnati's Woodward High School in June, 1924. He went on to the University of Cincinnati Law School, where he paid his way by working at local steel mills. He graduated in 1931 and was admitted to the Ohio Bar in 1932.

In the 1930's and 1940's, Ted was a prominent leader at the NAACP Cincinnati branch, where twice he was elected president. In 1939, he was appointed Assistant Hamilton County Prosecutor. From 1947 to 1961, he served on the Ohio Committee for Civil Rights Legislation, focusing his attention on equal employment and fair housing issues. During this period, he also began a career as a Cincinnati City Council member.

Over the course of his life, Ted worked tirelessly to fight poverty, and, in 1964, he created Cincinnati's first Community Action Commission, which enabled Cincinnati to participate with President Lyndon Johnson's new Office of Economic Opportunity (OEO). A year later, President Johnson appointed Ted as head of OEO's Community Action Programs. Under Ted's leadership, innovative and effective programs such as Head Start were established. When he returned to Cincinnati, he became the city's first African-American mayor,

servicing from 1972 to 1975. Since then, he has reappeared in the public spotlight helping to advance the causes of numerous political and civic organizations.

Ted was honored by the Greater Cincinnati Chamber of Commerce as a Great Living Cincinnati in 1984. In 1999, Cincinnati City Council approved funds to construct the Theodore M. Berry International Friendship Park along Cincinnati's riverfront. Last February, Applause! magazine honored Ted as the "Person of the Century" at the 10th annual Imagemaker Awards at the Arnoff Center for the Arts. In March, the Hamilton County Commissioners approved funds to construct the future Theodore M. Berry Way in Cincinnati.

Ted is survived by his wife, Johnnie Mae, and their three children: Theodore Berry, Jr., Faith Berry, and Gail Berry West. He was a dedicated public servant and strong advocate for civil rights, and, although he will be dearly missed, his accomplishments, leadership, and compassion will not be forgotten.

PAY TELEPHONES

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. BARCIA. Mr. Speaker, I want to spend a few minutes today discussing a segment of the communications system that we often take for granted—pay telephones. We have all had experiences using pay telephones when we are away from home. Even in these days of wireless telephones, pay telephones are essential for many Americans. They are a great convenience when we are traveling, when we are away from the office, and, in many cases, when we have an emergency.

There are about 2 million pay telephones in the country today, about 1.5 million of which are owned and operated by the same companies that operate local telephone exchanges. Another 500,000 phones are owned and operated by independent pay telephone companies. For thousands of people in rural and low-income areas, pay telephones are a source of basic telephone service. About 6% of all households in the country do not have a telephone. In poor urban areas, 25% or more of households do not have a telephone, and up to 20% of rural households do not have telephones in some areas. For families in these households, pay telephones often provide basic telephone service.

Our national policy regarding pay telephones has evolved significantly over the last twenty years. Prior to 1984, pay telephones were a regulated monopoly owned exclusively by the local telephone exchanges. In 1984, the Federal Communications Commission ordered local exchanges to provide service with independent payphone companies that wanted to install their own payphones. This development introduced competition for the first time in the payphone industry. However, full competition did not develop because charges to payphone companies were still set high enough to subsidize other services.

In 1996, another development occurred. With the 1996 Telecommunications Act, Congress stated that it wanted to further competition in the payphone industry so that there would be widespread deployment of

payphones. Rates paid by payphone companies to local exchange carriers were to be based on costs so that there would not be a cross-subsidization of other services. During the late 1980s, consumers had begun to experience the convenience of dialing "800" numbers at payphones without having to pay for them at the payphone. As the volume of these calls increased, it became clear that, as a matter of fairness, the payphone operator should receive some compensation for them. After all, the

Unfortunately, the goals of the 1996 Act have not been fulfilled. There has been substantial confusion about the definition of "cost-based" rates. While the FCC has taken some steps toward defining "cost-based" rates, it still has not given state regulatory commissions and local exchange carriers final guidance concerning the proper standard. The FCC's Common Carrier Bureau recently ordered Wisconsin carriers to file cost-based rates so that the FCC itself could review them. However, that order was stayed after an objection was filed. My concern is that a protracted proceeding before the FCC to determine the precise definition of "cost-based" could mean that payphone companies will pay substantially above costs for months or even years.

A related issue is the problem of dial around compensation. It is a great convenience for consumers to be able to dial "800" numbers without having to put coins in a payphone. However, it's only fair—and, in fact, it is the policy of the 1996 Act—that payphone owners are fairly compensated. These companies purchase, install and maintain the equipment and pay line rates for access to the local telephone exchange. The FCC has given some guidance as to which carrier is responsible for paying compensation, but the current system has proven to have a number of serious problems. Often, several companies are involved in carrying the signal from the caller to the final destination, and it can be difficult to determine what company is responsible for paying the compensation. In many cases, all the carriers deny responsibility and payphone owners must initiate expensive litigation to receive any compensation. The FCC should move quickly to review its current approach to dial around compensation in order to resolve outstanding questions and to come up with a workable, effective system.

While these regulatory issues remain unresolved, the payphone industry and, ultimately, American consumers are being injured. Up to 300,000 payphone lines have been disconnected around the country in the last few years. Some of this may be due to the market forces from competition from wireless telephones. To the extent that market forces are reducing the number of pay telephones, that is the fair result of competition. However, it is likely that much of this reduction is due to the twin effects of payphone operators paying excessive costs for line rates and receiving inadequate compensation for dial around calls. This squeeze on payphone companies has led to the disconnection of telephones and in some cases companies dropping out of the market entirely.

In Michigan, there has been about a 25% reduction in the number of independent telephone companies in operation. The largest independent payphone company providing service in Detroit, with over 2000 phones, is in

bankruptcy. I have heard story after story of payphones being disconnected, in rural areas, in urban playgrounds, and in other areas.

One of the particularly troubling aspects of this story is that we could have substantially better payphone service. The technology exists to provide Internet access, video services, and other services to consumers at pay telephones if the economic incentives allowed these developments. Today, in Europe, many of these services exist, and in a limited number of cases, they exist in the United States. However, our policy, although well intentioned, has had the effect of discouraging technological developments in the industry while individual companies struggle to survive.

I urge the FCC to look into these issues and take action to resolve these issues. Consumers in Michigan, indeed all over the country, will benefit from the Commission's efforts.

AMERICAN HOMEOWNERSHIP AND ECONOMIC OPPORTUNITY ACT OF 2000

SPEECH OF

HON. JAMES A. LEACH

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2000

Mr. LEACH. Mr. Speaker, following is a section-by-section analysis of S. 1452.

S. 1452, Manufactured Housing Improvement Act of 2000 with Amendments

SECTION-BY-SECTION

Section 1. Short Title and Table of Contents. States that the act may be cited as the "American Homeownership and Economic Opportunity Act of 2000."

Section 2. Findings and purpose. Congressional findings are that expanding homeownership opportunities should be a national priority, that there is an abundance of conventional capital available, that communities possess ample will and creativity to provide opportunities uniquely designed to assist their citizens to achieve homeownership, and that consumers should have access to lending opportunities at reasonable costs with knowledge behind lending decisions. Purposes of the act are to encourage homeownership by families not otherwise able to afford homeownership, to promote the ability of the private sector to produce affordable housing without excessive government regulation, to expand homeownership through tax incentives such as the home mortgage-interest deduction, and to facilitate the availability of capital for homeownership opportunities.

TITLE I—REMOVAL OF BARRIERS TO HOUSING AFFORDABILITY

Section 101. Short title. This title may be referred to as the "Housing Affordability Barrier Removal Act of 2000."

Section 102. Grants for regulatory barrier removal strategies. Authorizes \$15 million for FY 2001 through FY 2005 for grants to States, local governments, and eligible consortia for regulatory barrier removal strategies. This is a reauthorization of the same amount under an already existing CDBG set-aside (Section 107(a)(1)(H)). Grants provided for these purposes must be used in coordination with the local comprehensive housing affordability strategy ("CHAS").

Section 103. Regulatory barriers clearinghouse. Creates within HUD's Office of Policy Development and Research a "Regulatory Barriers Clearinghouse" to collect and dis-

seminate information on, among other things, the prevalence of regulatory barriers and their effects on availability of affordable housing, and successful barrier removal strategies.

TITLE II—HOMEOWNERSHIP FOR WORKING FAMILIES

Section 201. Reduced downpayment requirements for loans for teachers and uniformed municipal employees. Allows reduced downpayment requirements for FHA-insured loans for teachers and uniformed municipal employees. Authority for the provision expires September 30, 2003.

Section 202. Home equity conversion mortgages. Allows for the refinancing of home equity conversion mortgages (HECMs) for elderly homeowners. Gives the Secretary discretion to reduce the single premium payment to an amount as determined by an actuarial study, to be conducted by the Secretary within 180 days of enactment, and to credit the premium paid on the original loan. Authorizes the Secretary to establish a limit on origination fees that may be charged (which fees may be fully financed). Waives counseling requirements if the borrower has received counseling in the prior five years and the increase in the principal limit exceeds refinancing costs by an amount set by the Department; provides a disclosure under a refinanced mortgage of the total cost of refinancing and the principal limit increase.

In cases where the reverse mortgage proceeds are used for long-term care insurance contracts, a portion of those proceeds may be used for up-front costs, such as initial service, appraisal and inspection fees. Requires HUD to waive the up-front mortgage insurance premium in cases where reverse mortgage proceeds are used for costs of a qualified long-term care insurance contract.

Directs the Department to conduct an actuarial study within 180 days of enactment of the effect creating a single national loan limit for HECM reverse mortgages.

Section 203. Law enforcement officer homeownership pilot program. Requires the HUD Secretary to develop a pilot program designed to assist law enforcement officers, including correctional officers, to purchase homes in locally designated high crime areas. No downpayment is required. The borrower must have served as police officer for at least 6 months. The provision is primarily targeted for high-crime areas. Provides that the Secretary shall not approve any application for assistance received under this section that is received after expiration of the 3-year period beginning when the Secretary first makes assistance available.

Section 204. Assistance for self-help housing providers. Reauthorizes the self-help housing providers through FY 2003, at such sums for FY 2001 and such sums as may be necessary for each of FY 2002 and 2003. Allows projects with 5 or more units to use their funds over a 3-year period. Allows entities to advance themselves funds prior to completion of environmental reviews for purposes of land acquisition.

TITLE III—SECTION 8 HOMEOWNERSHIP OPTION

Section 301. Downpayment assistance. Public Housing Authorities (PHAs) are authorized to provide down-payment assistance in the form of a single grant, in lieu of monthly assistance. Such down-payment assistance shall not exceed the total amount of monthly assistance received by the tenant for the first year of assistance. For FY 2000 and thereafter, assistance under this section shall be available to the extent that sums are appropriated.

Section 302. Pilot program for homeowner-ship assistance for disabled families. Adds a pilot program to demonstrate the use of tenant-based section 8 assistance (section 8 vouchers) for the purchase of a home that will be owned by 1 or more members of the disabled family and will be occupied by that family and meets certain requirements. Requirements include purchase of the property within three years of enactment of this Act; demonstrated income level from employment

Section 303. Funding for pilot program. Authorizes such sums as may be appropriated for a grant program to supplement demonstration programs approved under the Section 8 homeownership demonstration program. The program has a 50% match requirement.

TITLE IV—PRIVATE MORTGAGE INSURANCE CANCELLATION AND TERMINATION

Section 401. Short title. Provides that this title may be cited as the "Private Mortgage Insurance Technical Corrections and Clarification Act".

Section 402. Changes in amortization schedule. Clarifies that private mortgage insurance (PMI) termination/cancellation rights for adjustable rate mortgages (ARMs) are based on the amortization schedule then in effect (the most recent calculation); treats a balloon mortgage like an ARM (uses most recent amortization schedule); bases cancellation/termination rights on modified terms if loan modification occurs.

Section 403. Deletion of ambiguous references to residential mortgages. Clarifies that borrowers' PMI cancellation and termination rights apply only to mortgages created after the effective date of the legislation (one-year after the date of enactment).

Section 404. Cancellation rights after cancellation date. Clarifies that the good payment history requirement in the bill is calculated as of the later of the cancellation date or, the date on which a borrower requests cancellation. Provides that if a borrower is not current on payments as of the termination date, but later becomes current, termination shall not take place until the first day of the following month (eliminates lender need to check and cancel PMI every day of the month). Clarifies that PMI cancellation or termination does not eliminate requirement to make PMI payments legitimately accrued prior to any cancellation or termination of PMI.

Section 405. Clarification of cancellation and termination issues and lender paid mortgage insurance disclosure requirements. Adds provision clarifying cancellation and termination issues related to terms ambiguous in law, including "good payment history", "automatic termination" and "accrued obligation for premium payments". Clarifies that PMI cancellation rights exist on the cancellation date, or any later date, as long as the borrower complies with all cancellation requirements. Clarifies that borrower must be current on loan payments to exercise cancellation.

Section 406. Definitions. Sets forth definitions of: a) refinanced; b) midpoint of the amortization period; d) original value; and e) principal residence.

TITLE V—NATIVE AMERICAN HOMEOWNERSHIP

SUBTITLE A—NATIVE AMERICAN HOUSING

Section 501. Lands Title Report Commission. Subject to amounts appropriated, creates an Indian Lands Title Report Commission to develop recommended approaches to improving how the Bureau of Indian Affairs

(BIA) conducts title reviews in connection with the sale of Indian lands. Receipt of a certificate from BIA is a prerequisite to any sales transaction on Indian lands, and the current procedure is overly burdensome and presents a regulatory barrier to increasing homeownership on Indian lands.

The Commission is composed of 12 members with knowledge of Indian land title issues (4 appointed by the President, 4 by the President from recommendations made by the Chairman of the Senate Committee on Banking, Housing and Urban Affairs Committee, and 4 by President from recommendations made by the Chairman of the House Committee on Banking and Financial Services). Authorized at \$500,000.

Section 502. Loan guarantees. Permanently authorizes the section 184 Loan Guarantee Program for Indian housing.

Section 503. Native American housing assistance. Makes the following amendments to the Native American Housing and Self-Determination Act of 1996 (NAHASDA):

Restricts Secretary's authority to grant waiver of Indian housing plan requirements, upon noncompliance due to circumstances beyond the control of the Indian tribe, to a period of 90 days. Allows Secretary to waive requirement for a local cooperation agreement provided the recipient has made a good faith effort to comply and agrees to make payments in lieu of taxes to the jurisdiction.

Sets forth requirement for assistance to Indian families that are not low-income upon a showing of need. Eliminates separate Indian housing plan requirements for small Indian tribes.

Provides Secretary with authority to waive statutory requirements of environmental reviews upon a determination that failure to comply does not undermine goals of the National Environmental Policy Act, will not threaten the health or safety of the community, is the result of inadvertent error and can be corrected by the recipient of funding. The intent is to address problems resulting from procedural, rather than substantive, noncompliance.

Authorizes tribal housing entities to provide housing on Indian reservations to full-time law enforcement officers, sworn to implement the Federal, State, county, or tribal law.

Revises provisions regarding audits and reviews by the Secretary by making applicable the requirements of the Single Audit Act to tribal housing entities; allowing these housing entities to be treated as non-Federal entities; and, permitting the Secretary to conduct audits. The audits will determine whether the grant recipient has carried out eligible activities in a timely manner; has met

Prescribes formula allocation for Indian housing authorities operating fewer than 250 units by requiring the amount of assistance provided to these tribes to be based on an average of their allocations from the prior five (5) fiscal years (fiscal years 1992 through 1997).

Amends hearing requirements to allow the Secretary to take immediate remedial action if the Secretary determines that the recipient has failed to comply substantially with any material provision of NAHASDA resulting in continued federal expenditures not authorized by law.

Upon noncompliance with the law due to technical incapacity, requires a recipient to enter into a "performance agreement" with the Secretary before the Secretary can provide technical assistance.

For section 8 vouchers currently being used by an Indian tribe, requires counting

such vouchers under the NAHASDA block grant allocation formula to ensure that families currently participating in the Section 8 voucher program will continue to be funded.

Repeals requirement regarding the certification of compliance with subsidy layering requirements with respect to housing assisted with grant amounts provided under the Act.

SUBTITLE B—NATIVE HAWAIIAN HOUSING

Section 511. Short title. Provides that the subtitle may be cited as the "Hawaiian Homelands Homeownership Act of 2000."

Section 512. Findings. Finds that Native Hawaiians continue to have the greatest unmet need for housing and the highest rates of overcrowding in the United States, and that Congress finds it necessary to extend the Federal low-income housing assistance available under the Native American Housing and Self-Determination Act of 1996 to those Native Hawaiians.

Section 513. Housing assistance. Provides the Secretary of HUD with authority to establish a program for the provision of block grants for affordable housing activities for Native Hawaiians, within the Native American Housing Assistance and Self-Determination Act of 1996. The Secretary is to be guided by the program requirements of titles I, II and IV of the Native American Housing Assistance and Self-Determination Act in the implementation of housing assistance programs for Native Hawaiians under this title. The Secretary may make exceptions to, or modifications of, program requirements as necessary and appropriate to meet the unique situation and housing needs of Native Hawaiians. Sets forth definitions, the requirements associated with housing plans, and other program requirements.

Section 514. Loan guarantees. Provides for loan guarantees for Native Hawaiian Housing. Loans guaranteed by the Secretary pursuant to this title shall be in amounts not to exceed one hundred percent of the unpaid principal and interest that is due on an eligible loan. A loan is an eligible loan if that loan is made only to a borrower who is a Native Hawaiian family, the Department of Hawaiian Home Lands, the Office of Hawaiian Affairs, or a private nonprofit

TITLE VI—MANUFACTURED HOUSING IMPROVEMENT

Section 601. Short Title References. States that this title may be cited as the "Manufactured Housing Improvement Act of 2000."

Section 602. Findings and purposes. Current law provisions are replaced with a more detailed statement of the original intent of Congress when it enacted the Federal Manufactured Home Construction and Safety Standards Act. Adds a consensus standards development process to the purpose of the act. Expresses the continuing need for affordability and the need for objective, performance-based standards, while emphasizing the need for consumer protection.

Section 603. Definitions. Adds several definitions to Section 603 of current law concerning the consensus committee and the consensus standards development process (Section 4). Adds a definition for the monitoring function and related definitions for primary inspection agency, design approval inspection agency, and production inspection primary inspection agency duties, which had not been previously defined. The term "dealer" has been replaced throughout with the term "retailer."

Section 604. Federal manufactured home construction and safety standards. Section 604 of current law (P.L. 93-383) is revised to

establish a consensus committee that would submit recommendations to the Secretary of HUD for developing, amending and revising both the Federal Manufactured Home Construction and Safety Standards and the enforcement regulations. These recommendations would be published in the Federal Register for notice and comment prior to final adoption by the Secretary. The committee shall be composed of 21 voting members, appointed by the Secretary, based on recommendations of administering organizations, who shall be qualified individuals (7 producers of manufactured housing, 7 users of manufactured housing, and 7 general interest groups and/or public officials), and one additional non-voting member to represent the Secretary on the consensus committee. The committee would function in accordance with the American National Standards Institute (ANSI) procedures for the development and coordination of American National Standards.

If the Secretary fails to take final action on a proposed revised standard, the Secretary shall appear before the housing and appropriation subcommittees and committees of the House of Representatives and the Senate and state the reason for failure.

Further, if the Secretary does not appear in person as required, the Secretary will be prohibited from expending funds collected under authority of this title in any amount greater than that collected and expended in the fiscal year preceding enactment of the Manufactured Housing Improvement Act of 2000.

The revisions to section 604 would also clarify the scope of federal preemption to ensure that disparate state or local requirements do not affect the uniformity and comprehensive nature of the

Section 605. Abolishment of the National Manufactured Home Advisory Council; manufactured home installation. Section 605 of existing law (P.L. 93-383) would be repealed, abolishing the National Manufactured Home Advisory Council, which is replaced by the consensus committee formed under Section 604. A new section 605 is added, entitled "Section 605. Manufactured Home Installation," which give states five years to adopt an installation program. During this five-year period, the Secretary of the Department of Housing and Urban Development (HUD) and the Consensus Committee are charged with constructing a "model" manufactured housing installation program. In states that choose not to adopt an installation program, HUD may contract with an appropriate agent in those states to implement the "model" installation program.

Section 606. Public information. Amends current requirements governing cost information of any new standards submitted by manufacturers to the Secretary by requiring the Secretary to submit such cost information to the consensus committee for evaluation.

Section 607. Research, Testing, Development, and Training. Requires HUD Secretary to conduct research, testing, development and training necessary to carry out the purposes of facilitating manufactured housing, including encouraging GSE's to develop and implement secondary market securitization programs for FHA manufactured home loans, and reviewing the programs for FHA manufactured home loans and developing any changes to such programs to promote the affordability of manufactured homes.

Section 608. Prohibited Acts. Requires continued compliance with the requirements for the installation program required by Section 605 in any State that has not adopted and implemented a State installation program.

Section 609. Fees. Amends current section 620 by allowing the Secretary to use industry

label fees for the administration of the consensus committee, hiring additional program staff, for additional travel funding, funding of a non-career administrator to oversee the program, and for HUD's efforts to promote the availability and affordability of manufactured housing. Prohibits the use of label fees to fund any activity not expressly authorized by the act, unless already engaged in by the Secretary, makes expenditure of label fees subject to annual Congressional appropriations review. Requires HUD to be accountable for any fee increase by requiring notice and comment rulemaking.

Section 610. Dispute Resolution. In order to address problems that may arise with manufactured homes, Section 610 gives the states five years to adopt a dispute resolution program for the timely resolution of disputes between manufacturers, retailers, and installers regarding the responsibility for the correction or repair of defects in manufactured homes that are reported during the one year period beginning on the date of installation. This also requires state issuance of appropriate orders for the correction or repair of defects in the manufactured homes that are reported during the 1-year period beginning on the date of installation under the dispute resolution program. In states that choose not to adopt their own dispute resolution program, HUD may contract with an appropriate agent in those states to implement a dispute resolution program.

Section 611. Elimination of annual report requirement. Eliminates existing annual reporting by the Secretary to Congress on manufactured housing standards.

Section 612. Effective date. Effective date of the legislation is the date of enactment, except that interpretive bulletins or orders published as a proposed rule prior to the date of enactment shall be unaffected.

Section 613. Savings provision. Existing manufactured housing standards are maintained in effect until the effective date of the Federal manufactured home construction and safety standards pursuant to the amendments made by this act.

TITLE VII—RURAL HOUSING HOMEOWNERSHIP

Section 701. Guarantees for refinancing of rural housing loans. Amends Section 502(h) of the Housing Act of 1949 to allow borrowers of Rural Housing Service single-family loans to refinance an existing direct or guarantee loan with a new guarantee loan, provided the interest rate is at least equal or lower than the current interest rate being refinanced; the same home is used as security; the principle is equal or lower than the refinanced amount plus closing costs, discount points not exceeding 2 basis points and, an origination fee prescribed by the Agriculture Secretary [HR 3834 (Andrews) Homeowners Financing Protection Act (passed the House under suspension on September 19, 2000).]

Section 702. Promissory note requirement under housing repair loan program. Increases amount of promissory note (instead of use of liens on property) amounts from \$2,500 to \$7,500 (adjusted from late 1970's amount to account for home repairs, e.g. roofing, heating systems, windows, etc.) without going through the formal loan process.

Section 703. Limited partnership eligibility for farm labor housing loans. Technical amendment that clarifies that limited partnerships are eligible for loans under Section 514 (Farm Labor Housing) in cases where the general partner is a nonprofit entity.

Section 704. Project accounting records and practices. Sets forth accounting and record keeping requirements, including maintaining accounting records in accordance with generally accepted accounting

principles for all projects that receive funds under this program; retaining records available for inspection by the USDA Secretary for not less than six years, and other requirements.

Section 705. Definition of rural area. Extends designation of rural areas, for purposes of the Rural Housing Service housing programs, for a narrow category of communities until the 2010 census.

Section 706. Operating assistance for migrant farmworkers projects. Allows Section 521 operating assistance for farm labor housing complexes where "mixed" migrant and annual workers will live.

Section 707. Multifamily rental housing loan guarantee program. Allows Native Americans to become eligible borrowers under the multifamily loan guarantee program; authorizes a "balloon payment" as a financing option; allow fees from lenders to be used to help offset program costs; and repeals existing prohibition against the transfer of property title from the lender to the federal government as well as the prohibition against the transfer of liability from one borrower to another.

Section 708. Enforcement provisions. Provides criminal penalties and civil sanctions for violations of program requirements.

Section 709. Amendments to title 18 of the United States Code. Amends Title 18 of the U.S. Code—Money Laundering—to strengthen enforcement and prosecution of program fraud and abuse.

TITLE VIII—HOUSING FOR ELDERLY AND DISABLED FAMILIES

Section 801. Short Title. This title may be cited as the "Affordable Housing for Seniors and Families Act."

Section 802. Regulations. Provides that the Secretary of HUD shall issue regulations implementing the provisions of this title only after notice and opportunity for public comment.

Section 803. Effective Date. Provides that the provisions of the title are effective upon enactment unless such provisions specifically provide for effectiveness or applicability upon another date certain.

SUBTITLE A—REFINANCING FOR SECTION 202 SUPPORTIVE HOUSING FOR THE ELDERLY

Section 811. Prepayment and refinancing. Requires the Secretary to approve prepayment of mortgages for Section 202 properties if the sponsor (owner) continues the low-income use restrictions. Requires that upon refinancing, the Secretary make available at least 50% of annual savings resulting from reduced Section 8 or other rental housing assistance in a manner that is advantageous to tenants, which may include increasing supportive services, rehabilitation, modernization, and retrofitting of structures, and other specified purposes.

This allows sponsors to build equity in their project that can be used to refinance at lower interest rates. The refinancing may result in lower project based Section 8 if the sponsor elects lower debt service in addition to the lower interest rate. The savings can then be used for improvements to the facility or services for residents.

SUBTITLE B—AUTHORIZATION OF APPROPRIATIONS FOR SUPPORTIVE HOUSING FOR THE ELDERLY AND PERSONS WITH DISABILITIES

Section 821. Supportive housing for elderly persons. Authorizes such sums for the existing program of supportive housing for the elderly (section 202 housing) for FY 01 and "such sums as may be necessary" for FY 02, and FY 03.

Section 822. Supportive housing for persons with disabilities. Authorizes such sums for

the existing program of supportive housing for the disabled (section 811 housing) for FY 01 and "such sums as may be necessary" for FY 02, and FY 03.

Section 823. Service coordinators and congregate services for elderly and disabled housing. Authorizes such sums for grants for service coordinators, who link residents with supportive or medical services in the community, for certain federally assisted multifamily housing projects for FY 01 and "such sums as may be necessary" for FY 02, and FY 03.

SUBTITLE C—EXPANDING HOUSING OPPORTUNITIES FOR THE ELDERLY AND PERSONS WITH DISABILITIES

PART 1—HOUSING FOR THE ELDERLY

Section 831. Eligibility of for-profit limited partnerships. Allows 202 sponsors to form limited partnerships with for-profits, but the nonprofits must be the controlling partner. Through this partnership, the sponsors could compete for the low income housing tax credit. With this change, owners could build bigger developments and achieve scale economies. The units financed under Section 202 would be governed by those rules, and the tax credit units would be governed under those rules. States would still be making the decision who gets the LIHTC, and the limited partnerships would have to compete like everybody else.

Section 832. Mixed funding sources. Allows private non-profit housing providers to use all sources of financing, including Federal funds, for amenities, relevant design features and construction of affordable housing for seniors.

Section 833. Authority to acquire structures. Removes limitation allowing private non-profit housing providers to acquire only RTC-held properties. RTC went out of business. This provision allows 202 projects to acquire properties.

Section 834. Use of project reserves. Project reserves, a set-aside account funded through rent receipts for repairs to the building's structure or infrastructure over the years (roof, elevator, etc.), may be used to reduce the number of dwelling units in the 202 project. The use of these funds is subject to the Secretary's approval to ensure the use is designed to retrofit obsolete or unmarketable units.

During the cost containment phase of the Section 202 program, many efficiencies were built. In many cases, it is preferable to convert efficiencies to 1 or 2 bedroom apartments. In other instances, the project may want to reduce units to make room for a clinic or community space.

Section 835. Commercial activities. Makes clear that commercial facilities may be located and operated, in Section 202 projects, as long as the business is not subsidized with 202 funds. These facilities can benefit residents and bring some additional revenue (rent) to the project.

PART 2—HOUSING FOR PERSONS WITH DISABILITIES

Section 841. Eligibility of for-profit limited partnerships. Provides that for-profit limited partnerships are eligible to participate in the 811 program established under this Act. The nonprofit will be the controlling partner, and the limited partnership may compete for the LIHTC.

Section 842. Mixed funding sources. Allows private non-profit housing providers to use all sources of financing, including Federal funds, for amenities, relevant design features and construction of affordable housing for the disabled.

Section 843. Tenant-based assistance for persons with disabilities. Provides that ten-

ant-based rental assistance provided under Section 811 of the Cranston-Gonzalez National Affordable Housing Act may be provided by a private nonprofit organization as well as by a public housing agency as under current law. Caps the amount of tenant-based assistance under Section 811 at 25% of the yearly appropriation for Section 811 housing to ensure that money remains available for construction of affordable housing stock for the disabled.

Section 844. Use of project reserves. Project reserves may be used to reduce the number of dwelling units in an 811 project to retrofit obsolete or unmarketable units. Allows flexibility to design the project in a way that makes it more comfortable & appealing for the residents.

Section 845. Commercial Activities. Clarifies that commercial facilities may be located and operated in Section 811 projects, as long as the business is not subsidized with 811 funds.

PART 3—OTHER PROVISIONS

Section 851. Service coordinators. Allows service coordinators to assist low-income elderly or disabled families living in the vicinity of an eligible federally assisted project. Requires HUD and HHS to develop standards for service coordinators in federally assisted housing to educate seniors about telemarketing fraud and facilitating prosecution of such fraud. This change will make the project a focal point of the community, address the isolation many seniors feel particularly in rural areas—and help seniors protect themselves against fraud.

SUBTITLE D—PRESERVATION OF AFFORDABLE HOUSING STOCK

Section 861. Section 236 Assistance. Allows owners of uninsured Section 236 projects to retain excess income. This money is needed for repairs to the aging projects. The FY 00 VA-HUD bill allowed uninsured Section 236 owners to retain excess income (which results when 30% of

To the extent a project owner has remitted excess income charges to HUD since the date of enactment of the FY 1999 appropriations Act, the Department may return to the relevant project owner any such excess charges remitted. This would put these owners on an equal footing with those owners who had retained these excess charges and whom HUD has, through notice, permitted to retain such excess income.

SUBTITLE E—MORTGAGE INSURANCE FOR HEALTH CARE FACILITIES

Section 871. Rehabilitation of existing hospitals, nursing homes, and other facilities.

Currently, Section 223(f) of National Housing Act (NHA) provides mortgage insurance for purchase or refinancing of non-FHA multifamily housing projects and for refinancing of existing debt on non-FHA hospitals. Section 223(f) insurance is also broadly used for nursing homes, assisted living facilities, etc. Amends current law to allow for purchase as well as refinancing of such hospitals and includes integrated service facilities, which are defined in Section 872. Allows repairs and minor improvements to be included in financings, consistent with protocols in non-FHA financings. Clarifies program ambiguities such that savings include refinancing of short-term balloon loans.

Section 872. New integrated service facilities. Currently, Section 232 of NHA authorizes FHA insurance for nursing homes, intermediate care, board and care, and assisted living facilities. This section introduces a concept of an integrated service facility, and then makes these facilities eligible for mort-

gage insurance. An integrated service facility is defined as providing health care to sick, injured, disabled, elderly or infirm persons or services for the treatment and prevention of illness, or any combination thereof. It also removes a barrier to use of FHA insurance for some assisted living facilities by allowing the FHA to establish alternative underwriting standards when states lack licensing requirements. Another barrier to FHA insurance is removed by making the alternative Certificate of Need (CON) test for nursing homes, intermediate care facilities, and integrated service facilities more workable. Currently, FHA insurance is conditional upon the CON; however, several states have sunset CON programs or the agencies which would issue CONS. Moreover, an existing, but no longer appropriate, requirement that residents of nursing homes A are not acutely ill is stricken.

Section 873. Hospitals and Hospital-Based Health Care Facilities. Currently, Section 242 authorizes FHA insurance for hospitals and associated facilities. This section changes the definition of an eligible hospital to eliminate the test that denies eligibility where more than 50% of patient days are non-acute in nature. The 50% rule, especially in a continuum of care environment, creates a financing void for hospitals providing significant non-acute and other essential services now subject to the 50% rule. Modifies eligibility test used as an alternative to the CON requirement under the statute so that a sponsor applicant may commission an independent study in defined circumstances. Allows integrated service facilities to be Section 242 eligible when owned by a hospital sponsor.

TITLE IX—OTHER RELATED HOUSING PROVISIONS

Section 901. Extension of Loan Term for Manufactured Home Lots. Extends the loan terms for manufactured home lots financed by insured financial institutions from 15 years, 32 days to 20 years, 32 days.

Section 902. Use of Section 8 Vouchers for Opt-Outs. Amends the VA, HUD and Independent Agencies Appropriations Act of FY 2001 by changing the effective date when Section 8 vouchers may be used in situations where owners opt out of the program from 1996 to 1994.

Section 903. Maximum payment standard for enhanced vouchers. Amends the VA, HUD and Independent Agencies Appropriations Act of FY 2001 to require that HUD may not limit the value of enhanced vouchers as provided under the statute if such limit would adversely affect the assisted families to which enhanced vouchers are provided.

Section 904. Use of section 8 assistance by "grand-families" to rent dwelling units in assisted projects. Allows HOME funds (in rental units otherwise not eligible for HOME funds) to be used for facilities with units with low-income families having a grandparent residing with a grandchild, or in some cases, where great- and great-great grandchildren are residing in the unit, with neither of the child's parents residing in the household.

TITLE X—BANKING AND HOUSING AGENCY REPORTS

Section 1001. Short title. The title is cited as the "Federal Reporting Act of 2000."

Section 1002. Amendments to the Federal Reserve Act. Provides a new reporting requirement to replace the expired provisions relating to the semi-annual "Humphrey-Hawkins" reports requirements. Section 1002 requires the Chairman of the Federal Reserve Board to appear before Congress at

semi-annual hearings to discuss monetary policy as well as economic developments and prospects for the future. The Chairman will appear before the House Banking Committee around February 20 of even numbered years and July 20 of odd numbered years, and before the Senate Banking Committee on February 20 of odd numbered years and July 20 of even numbered years. Either Committee may request the Chairman to appear after his scheduled appearance before the other.

Requires the Federal Reserve Board to submit, concurrent with each semi-annual hearing, a written report to both Committees discussing the same subjects, taking into account developments in employment, unemployment, production, investment, real income, productivity, exchange rates, international trade and payments, and prices.

Section 1003. Preservation of certain reporting requirements. This Section reinstates certain reports which expired in May 2000 pursuant to the Federal Reports Elimination and Sunset Act of 1995.

(1) President's economic report, together with the annual report of the Council of Economic Advisors. Due: During first 20 days of each regular session.

(2) President's report on impact of offsets on the defense preparedness, industrial competitiveness, employment, and trade of the U.S. Due: Annually (to Banking and Armed Services Committees) (This report discloses impact on the U.S. economy in cases where foreign governments, to justify the purchase of U.S.-made defense systems, require technology transfers or direct in-country investments. Such concessions ensure the sale but may impair future sales or enhance the production capacity of a potential foreign competitor to the U.S.)

(3) Commerce Department report on operations under the Public Works and Economic Development Act of 1965 (by the Economic Development Administration) Due: Annually. (The EDA provides grants for public works and other assistance to alleviate unemployment in economically distressed areas.)

(4) HUD's agenda of all rules and regulations under development or review. Due: Semiannually (to Banking Committee).

(5) HUD report on early defaults on FHA-insured loans. Due: Annually. (The report includes data on lenders and the numbers of loans they make—and defaults and foreclosures thereon—by census tract.)

(6) Two HUD Reports related to civil rights: (a) Progress in eliminating discriminatory housing practices. Due: Annually. (The report reviews the nature and extent of progress in eliminating housing discrimination practices, obstacles remaining, and recommendations for legislation or executive action.) and (b) Data on applicants, participants, and beneficiaries of the programs administered by HUD. Due: Annually. (The report provides data on race, color, religion, sex, national origin, age, handicap, and family characteristics of applicants or participants in HUD programs.)

(7) Two HUD reports related to lead-based paint hazards: (a) Assessment of the progress made in implementing the various programs authorized by the Act. Due: Annually. (This report covers research/studies into lead poisoning and recommendations for legislative or other action to improve HUD's performance in combating such hazards.); and (b) Progress of the Department in implementing expanded lead-based paint hazard evaluation and reduction activities. Due: Biennially. (This report is related to the one above and provides an assessment of HUD's progress in various lead-based paint abatement programs.)

(8) FHA annual report. Due: Annually. (The report provides an analysis of income demo-

graphic borrower information, specifically related to incomes not exceeding 100% of area median income (AMI), 80% of AMI, 60% of AMI; minority, central city and rural borrowers; and, HUD activities to ensure participation by these groups.)

(9) HUD annual report. Due: Annually. (This is an annual report by the Secretary to the President for submission to the Congress on all operations and programs under HUD's jurisdiction during the previous year.)

(10) HUD annual report. Due: Annually. (This is a general requirement for an annual report from the Secretary to the President on the activities of HUD for submission to Congress.)

(11) FEMA report on operations under the National Flood Insurance Act of 1968. Due: Biennially. (This report covers operations of the national flood insurance program offered to communities which enforce flood plain management measures.)

(12) HUD report on Indians and Alaska Native housing and community development. Due: Annually. (The report covers the housing needs of Indian tribes in the U.S. and HUD's activities in meeting such needs. It includes estimates of the costs of projected activities for succeeding fiscal years, statistics on the conditions of Indian and Alaska Native housing, and recommendations for new legislation.)

(13) HUD report on actuarial soundness of the Mutual Mortgage Insurance Fund. Due: Annually. (The report describes HUD actions to ensure the Fund maintains a capital ratio of at least 1.25 percent.)

(14) Treasury Department report on progress in enhancing human rights through U.S. participation in international financial institutions. Due: Quarterly (to Banking and International Relations Committees).

(15) Treasury Department reports: (a) Financial statement and report of transactions of the Exchange Stabilization Fund (ESF). Due: Monthly (to Banking Committee); and (b) Operations of the ESF. Due: Annually.

(16) OCC, FDIC, and Federal Reserve Board reports on activities of the consumer affairs division. Due: Annually. (These reports describe actions taken by the agencies to prevent unfair or deceptive acts or practices by banks and to address consumer complaints.)

(17) OCC Annual Report. Due: Annually.

(18) OTS report on minority institutions. Due: Annually. (This report relates to OTS actions to preserve minority ownership of minority financial institutions many of which serve lower income and minority communities.)

(19) Appalachian Regional Commission report of activities. Due: Annually. (The report covers Federal-State activities to support economic development in the 13 Appalachian states.)

(20) Export-Import Bank reports: (a) Export financing competition. Due: Annually. (This report reviews how well Exim's programs compete with those of other export credit agencies, and includes other "sub-reports" which will also continue, i.e. the Trade Promotion Coordinating Committee (TPCC) Strategic Plan, Advisory Committee comments on Exim's competitiveness, and Competitive Insurance Opportunities report on Exim deals with respect to countries that deny opportunities to US insurance companies.); (b) Tied aid credits. Due: Biennially. (This report covers the tied aid credit program under which grants are made to supplement financing for a US export when it appears predatory financing will be available from another country for a competitor's product.); and (c) Operations as of the close of business each

(21) FDIC report on operations of the Corporation. Due: Annually. (The report also includes information on the BIF and SAIF.)

(22) Federal Financing Bank report on activities of the Bank. Due: Annually. (The FFB lends to federal agencies to reduce the cost of borrowing, ensure coordination of borrowings with federal fiscal and debt management, and assure minimal disruption of private markets and institutions.)

(23) Federal Housing Finance Board Annual Report. Due: Annually.

(24) Federal Reserve survey of bank fees and services. Due: Annually. (The report covers discernible changes in cost and availability of bank services.)

(25) Federal Reserve assessment of the profitability of credit card operations of depository institutions. 15 U.S.C. 1637 Due: Annually. (The report also discusses trends in credit card interest rates.)

(26) Federal Reserve report on credit card price and availability information. Due: Semiannually. (The Board provides information on a sample of 150 card issuers twice a year.)

(27) Federal Reserve activities under the Equal Credit Opportunity Act. Due: Annually. (This information is included in the Board's annual report.)

(28) Federal Reserve report on administration of and recommendations as to changes in the Truth in Lending Act. Due: Annually. (The report provides information on compliance with TILA regulations.)

(29) Federal Reserve Board of Governors report of activities. Due: Annually.

(30) Federal Reserve report on policy actions of the Federal Open Market Committee and the Board. Due: Annually. (This is included in the Fed's annual report.)

(31) Federal Trade Commission's reports on administration of the Fair Debt Collection Practices Act. Due: Annually. (The report covers elimination of abusive debt collection practices.)

(32) National Credit Union Administration's report on operations and financial information. Due: Annually.

(33) Treasury Department report on activities and audit of financial statement of the Resolution Funding Corporation. Due: Annually. (REFCORP was established by FIRREA to raise funding for RTC resolution of insolvent S&Ls. Funds are appropriated to Treasury to pay interest on obligations issued by REFCORP.)

(34) Neighborhood Reinvestment Corporation's annual report. Due: Annually. (The corporation was set up to continue the work of the Urban Reinvestment Task Force in establishing neighborhood housing services and providing grants and technical assistance to facilitate reinvestment.)

(35) Voluntary agreements under the Defense Production Act. Due: At least annually. (This report is due to the Congress and the President from any individual(s) designated by the President, describing voluntary agreements and plans of action in effect for preparedness programs and expansion of production capacity and supply.)

(36) Justice Department report on data collection re banks and banking. Due: Quarterly. (This report details civil and criminal investigations and prosecutions relating to banking law offenses.)

(37) Federal Housing Administration Advisory Board report on assessment of the activities of the Federal Housing Administration; effectiveness of the Mortgage Review Board. Due: Annually. (This report covers the soundness of FHA's underwriting procedures and other activities relating to the FHA's ability to serve nation's homebuyers and renters, as well as the effectiveness of

the Mortgagee Review Board which takes action against mortgagees in violation of the Fair Housing Act or other statutory requirements.)

Section 1004. Coordination of Reporting Requirements. Subsection (a) requires the FDIC's annual report to include the agency's annual consumer affairs report.

Subsection (b) requires the annual report of the Federal Reserve Board of Governors to include the Fed's annual report of activities under the Equal Credit Opportunity Act, the Board's annual consumer affairs report, the annual report on administration of the Truth in Lending Act, and the Fed's annual report on policy actions of the Federal Open Market Committee and the Board.

Subsection (c) requires the OCC annual report to include the agency's annual consumer affairs report.

Subsection (d) requires the Exim Bank's annual report on export financing competition to include the tied aid report, and makes the latter an annual rather than semi-annual report.

Subsection (e) requires HUD's annual report to include the Department's two annual reports required under the Civil Rights Act relating to progress in eliminating housing discrimination and data on applicants and participants in HUD programs, the Department's annual and biennial reports on lead based paint, the Department's annual report on all HUD programs and operations, and HUD's annual report on housing programs related to Indians and Alaskan Natives.

Subsection (f) requires the annual report of the Federal Housing Administration to include the annual report on early defaults on FHA-insured loans and the annual report on the actuarial soundness of the Mutual Mortgage Insurance Fund.

Subsection (g) amends the International Financial Institutions Act to change Treasury's report on promoting human rights through international financial institutions from a quarterly report to an annual report.

Section 1005. Elimination of certain reporting requirements. Provides for the repeal of certain Export-Import Bank reports. One is a report from the President requesting legislation if the amount of direct loan authority or guarantee authority available to the Export-Import Bank for the fiscal year involved exceeds the amount necessary. This report is being repealed because it is a corollary to the President's annual report on sufficiency of Exim authority which expired pursuant to the sunset. There are four "sub-reports" to Exim's annual report that are also to be repealed: (1) a report on specific Exim's programs and activities to promote nonnuclear renewable energy resources and description of Exim's actions to assist small business which is being repealed because this information is already included in other reports; (2) a report on Exim's actions on maintaining "key linkage industries" which is unnecessary because Exim's annual report covers exports for various industries; (3) a report on Exim's measures to supplement financing for agricultural commodities which was enacted 20 years ago but which is no longer needed with Exim continuing to be involved in this area; and (4) a report on Exim's programs on the export of services which is also covered in the annual report since it is part of Exim's activities.

This section also provides for the repeal of a semi-annual FDIC report on the agency's efforts to maximize the efficient use of private sector contractors to manage assets held by the agency. There is little need for the report today since assets have declined significantly since 1991. The 1999 report showed the agency had only about 3% of the assets in liquidation it had 7 years earlier.

TITLE XI—NUMISMATIC COINS

Section 1101. Short Title. Specifies that the Section be known as the "United States Mint Numismatic Coin Clarification Act of 2000."

Section 1102. Clarification of Mint's Authority. Specifies that the United States Mint ("Mint") need not issue silver "proof" collector versions of the new golden-colored one-dollar coin, and adds the word "platinum" before the word "bullion" in law elaborating Mint authority to strike platinum bullion coins.

Section 1103. Additional Report Requirements. Adds a supplemental requirement to the Mint's annual audited financial statements to show the actual cost of producing and distributing circulating coins.

TITLE XII—FINANCIAL REGULATORY RELIEF

Section 1200. Short Title. This title may be cited as the "Financial Regulatory Relief and Economic Efficiency Act of 2000."

Section 1201. Repeal of Savings Association Liquidity Provision. Repeals unnecessary provisions relating to savings association liquidity requirements.

Section 1202. Non-controlling Investments by Savings Association Holding Companies. Allows a savings and loan holding company to acquire a five to twenty-five percent non-controlling interest of another SLHC or savings association, subject to the approval of the Director of the OTS.

Section 1203. Repeal of Deposit Broker Notification and Record Keeping Requirement. Repeals requirement that brokers file a written notice with the FDIC before soliciting or placing deposits with an insured depository institution.

Section 1204. Expedited Procedures for Certain Reorganizations. Simplifies procedures for a national bank reorganizing into a bank holding company.

Section 1205. National Bank Directors. Permits national banks to elect directors to terms of up to 3 years on a staggered basis. Permits Comptroller to remove the limitation on the number of board members.

Section 1206. Amendment to Bank Consolidation and Merger Act. Permits national bank, upon approval of Comptroller, to merge or consolidate with its subsidiaries or nonbank affiliates with no increase in powers for the national bank.

Section 1207. Loans on or Purchases by Institutions of their own Stock. Repeals prohibition on a bank owning or holding its stock, but retains prohibition on making loans or discounts on the security of its own stock.

Section 1208. Purchased Mortgage Servicing Rights. Authorizes the appropriate Federal banking agencies to jointly simplify capital calculations by not requiring banks or thrifts to distinguish between types of mortgage servicing rights. This would allow regulators to value marketable mortgage servicing assets in capital determinations up to 100% of their fair market value rather than the current level which is limited to 90% of fair market value.

Section 1211. Call Report Simplifications. Provides for the modernization of the call report filing and disclosure system.

Section 1221. Elimination of Duplicative Disclosure of Fair Market Value of Assets and Liabilities. Clarifies that banking agencies need no longer pursue further development of the supplemental disclosure method. Even so, Section 36 of FDIA and its supporting regulations provide agencies with discretion to seek additional information in regulatory reports and annual reports regarding fair market value.

Section 1222. Payment of Interest in Receiverships With Surplus Funds. Gives the FDIC the authority to establish a uniform interest rate with regard to receiverships.

Section 1223. Repeal of Reporting Requirement on Differences in Accounting Standards. Amends the requirement for each agency to produce an Annual Report on "Agency Differences in

Section 1224. Agency Review of Competitive Factors in Bank Mergers Act Filings. Eliminates the requirement that each federal banking agency request a competitive factors report from the other three federal banking agencies as well as the Attorney General. The proposed provision would decrease that number to two, with the AG continuing to be required to consider the competitive factors of each merger transaction. The provision also requires the responsible banking agency to take into account appropriate competitive measures when considering the competitive effect of mergers.

Section 1231. Federal Reserve Board Buildings. Allows the Federal Reserve Board to have more than one building.

Section 1232. Positions of Board of Governors of Federal Reserve System on the Executive Schedule. Raises the pay of the Chairman of the Federal Reserve Board from Level II of the Executive Schedule to Level I (approx. \$14,800) and the Board Members from Level III to Level II (approx. \$10,500).

Section 1233. Extension of Time. Extends deadline for new FHLB capital rules from 12 months to 18 months.

Section 1241. Technical Correction Relating to Deposit Insurance Funds. Makes technical correction to FDIA.

Section 1242. Rules For Continuation of Deposit Insurance For Member Banks Converting Charters. Makes technical changes with regard to a cross-reference cite.

Section 1243. Amendments to the Revised Statutes.

503(a) Provides that the Comptroller may waive the U.S. citizenship requirement for up to a minority of a national bank's directors. The Economic Growth and Regulatory Paperwork Reduction Act (EGRPRA) inadvertently deleted the long-standing authority of the Comptroller to waive the citizenship requirement for up to a minority of directors of national banks that are subsidiaries or affiliates of foreign banks.

503(b) Updates Section II to reflect that national banks no longer issue national currency, while maintaining the provision that prohibits the Comptroller from owning interest in the national banks they regulate.

503(c) Repeals Section 5138 of the Revised Statutes (first enacted in 1864), which imposes minimum capital requirements for national banks. This minimum capital requirement (ranging from \$50,000 to \$200,000) is obsolete, since Congress granted the Federal banking agencies the regulatory authority to establish minimum capital requirements in 1983.

Section 1244. Conforming Change to the International Banking Act of 1978. Allows branches and agencies of foreign banks that satisfy the asset test imposed on domestic banks to be examined on an 18-month cycle instead of the 12-month cycle.

TRIBUTE TO THE HONORABLE TOM EWING ON HIS RETIREMENT FROM CONGRESS

SPEECH OF

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2000

Mr. HASTERT. Mr. Speaker, it's sad to part ways with TOM. He's an old friend who I've

known over a span of more than 20 years. He's someone I've worked with in representing the people of our state of Illinois, both in Congress and our state legislature. He's someone who helped me rally the troops when I was chief deputy whip, and he's someone who supported me for Speaker of the House. I have great respect for TOM.

Since he was elected in 1991, TOM has worked for the families in Illinois' 15th District. TOM, a farmer himself, stood up for Illinois farmers' interests as Chairman of the House Subcommittee on Risk Management and Specialty Crops and Research. He fought for the Republican principles he represents so that he could make American lives better—a balanced budget, lower taxes, fair treatment for small businesses, welfare reform and Social Security and Medicare reform.

TOM wanted to retire so he could spend more time with his wife, Connie, his six children and his grandchildren. I hope his future years with them are filled with much happiness. I wish him the best of luck and thank this honorable and decent man for everything he has done for both the people of Illinois and the men and women of this country. I know our friendship will continue even after he goes back home.

25TH ANNIVERSARY OF NAEMT

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. WELDON of Pennsylvania. Mr. Speaker, today I rise to highlight an important milestone for America's Emergency Medical Services systems and to voice my continued support for the nation's EMTs and Paramedics.

This year marks the 25th anniversary of the National Association of Emergency Medical Technicians (NAEMT). For 25 years NAEMT has represented the interests of America's 600,000 EMTs and Paramedics, while witnessing the evolving role of EMS in this country. No longer are EMS personnel simply "ambulance drivers," but instead they provide quality medical care for the sick and injured, including advanced life support with such interventions as intravenous cannulation, cardiac defibrillation, endotracheal intubation, and medication administration. But EMS personnel today do more than just clinical medicine. Whether it be a free blood pressure and blood sugar screening hosted by the local EMS agency in the rural town of Eveleth, Minnesota or the initiation of a defibrillator training program for community members in Omaha, Nebraska, EMTs and Paramedics across America exhibit a special dedication to the people of their communities. I applaud America's EMS personnel for their 25 years of outstanding service.

The aging population and concerns about healthcare for the 21st century are both issues we are fervently debating in Congress right now. EMS, as part of the allied healthcare system, is not immune from the effects of these emerging issues. Instead, these issues are rapidly increasing the roles of EMS personnel. At the NAEMT conference "Outlook 2000" in Reno, Nevada on November 8-11, America's EMTs and Paramedics will boldly step forward and accept these new challenges.

Mr. Speaker, I am convinced that today's EMTs and Paramedics will continue to proudly serve the people of this nation and will confront future challenges not with trepidation, but with the same confident altruism that led them to first develop America's EMS systems a quarter century ago.

PERSONAL EXPLANATION

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. BILBRAY. Mr. Speaker, on October 24 I was in my district and was absent for rollcall votes No. 541, No. 542, and No. 543. Had I been present, I would have voted: "yea" on H. Res. 634 (rollcall vote No. 541); "yea" on H. Con. Res. 414 (rollcall vote No. 542); and "yea" on H.R. 4271 (rollcall vote No. 543).

NATIONAL LAW ENFORCEMENT MUSEUM ACT

SPEECH OF

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2000

Mr. COSTELLO. Mr. Speaker, as a co-sponsor of this legislation, I rise today in support of S. 1438, the National Law Enforcement Museum Act, which honors the men and women who serve our nation as law enforcement officers.

America's law enforcement officers are one of our most valuable resources. Almost one million individuals nationwide perform an incredibly important task as they put their lives in danger on a daily basis to protect and serve the American people. As a former police officer, and the father of a former police officer, I know the inherent risk involved in the profession and salute these men and women for their efforts.

This legislation will allow the National Law Enforcement Officers Memorial Fund to go forward with plans to build the most comprehensive law enforcement museum and research facility in the world. The museum will serve to educate and inform the public of the risks and duties that law enforcement officers face on a daily basis.

Mr. Speaker, I urge my colleagues to join me in supporting the National Law Enforcement Museum Act. America's law enforcement officers are highly deserving of the praise and recognition that the museum will bring them.

PERSONAL EXPLANATION

HON. JIM NUSSLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. NUSSLE. Mr. Speaker, on Tuesday, October 24, 2000, I was unavoidably detained by weather problems in the Midwest and missed rollcall vote #541-#543. Had my votes been recorded, they would have been in the following manner:

Rollcall Vote #541 (On agreement to H. Res. 634) "yea".

Rollcall Vote #542 (To suspend the rules and pass H. Con. Res. 414) "yea".

Rollcall Vote #543 (To suspend the rules and pass H.R. 4271) "yea".

NATIONAL LAW ENFORCEMENT MUSEUM ACT

SPEECH OF

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2000

Mr. LANTOS. Mr. Speaker, I rise today in strong support of S. 1438, the National Law Enforcement Memorial Museum Act. This important piece of legislation would give all Americans a place to honor and commemorate the members of our nation's law enforcement agencies and provide a museum for those who have made the supreme sacrifice in the line of duty.

Mr. Speaker, during our nation's history, nearly 15,000 federal, state, and local law enforcement officers have lost their lives in the line of duty. According to the most recent FBI statistics, almost 63,000 officers are assaulted each year, and this results in more than 21,000 injuries. I am appalled to report that on average, one police officer is killed somewhere in the United States every 54 hours.

Everyday some 740,000 law enforcement professionals are asked to put their lives on the line to protect the safety of others. We owe all of these officers a huge debt of gratitude. I believe that the time has come to honor all law enforcement officers and to pay particular honor to their fallen colleagues for their outstanding service and sacrifice made for our country.

Mr. Speaker, this important legislation will establish a comprehensive law enforcement museum and research repository. The museum will permit researchers, practitioners, and the general public to have access to this premiere source of information on issues related to law enforcement history and safety.

As my colleagues are aware, in 1984 we mandated the establishment of the National Law Enforcement Officers Memorial. This memorial was dedicated in 1991 just a few blocks from this Capitol Building. The legislation we are considering today calls for the construction for the National Law Enforcement Museum near the current memorial, a proper place for this important museum.

Mr. Speaker, the time has come to finish what we began in 1984, and I urge my colleagues to join me in voting for this important legislation.

COMMODITY FUTURES MODERNIZATION ACT OF 2000

SPEECH OF

HON. THOMAS W. EWING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 19, 2000

Mr. EWING. Mr. Speaker, the Commodity Exchange Act now bans the offer and purchase of single stock futures products in the

United States. The bill would lift that ban, subject to joint CFTC and SEC regulation, effective in one year for public customers and 8 months for institutional investors. U.S. investors today also are barred from buying single stock futures traded on foreign exchanges. Section 221(j) of the bill includes an amendment to the Commodity Exchange Act that would immediately allow U.S. investors to buy single stock futures—even those based on U.S. stocks—that are traded on foreign exchanges. This disparate treatment of U.S. and foreign exchanges has been pointed out by numerous futures and securities exchanges, and other financial industry representatives.

If U.S. customers are going to be allowed to purchase futures on equities traded overseas, the products should be subject to the same timing restrictions and oversight that is applicable to domestic security futures products. Section 221(i) would allow foreign exchanges to offer in the U.S. and U.S. investors to purchase, security futures products only under terms and conditions acceptable to the SEC and CFTC. Section 22(j) of the bill thus may conflict with Section 221(i) of the bill. This issue needs to be addressed before the bill is sent to the President.

OLDER AMERICANS ACT
AMENDMENTS OF 2000

SPEECH OF

HON. DONNA MC CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2000

Mrs. CHRISTENSEN. Mr. Speaker, I support H.R. 782, the Older Americans Act Amendments and I commend its sponsors for getting it to the floor of the House today. This program has not been reauthorized since it expired in 1995, but continued only through annual appropriations.

Today when we pass this reauthorization measure, we can finally say to our Senior citizens that we care about their concerns, enough to provide the support and assistance they need.

Mr. Speaker I especially applaud the bills provisions with regard to older people of color, who are often poorer, lack health care services and experience greater difficulties having their needs met.

The seniors in my district have benefited greatly from this act in the past and from the annual appropriations to continue the services—from the elderly nutrition programs to the home care for the frail elderly and the senior community service employment program. They are very proud of the variety of needed services they give to the community through this latter program.

We are also pleased that this reauthorization includes a national family caregiver support program. Many families across the country will be helped through this important measure.

Mr. Speaker, this reauthorization is long overdue and I am pleased to join my many colleagues in supporting it.

TRIBUTE TO THE HONORABLE
DONALD P. LEMM, MAYOR OF
BELLWOOD, ILLINOIS, ON THE
OCCASION OF HIS RETIREMENT

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. DAVIS of Illinois. Mr. Speaker, Donald P. Lemm has lived in Bellwood, Illinois all of his life, he and his late wife Ida had four children and five grandchildren. He and his current wife Joy, live at 517 51st Avenue. Mayor Lemm is a graduate of DePaul University with a degree in business administration and accounting. He is a member of the VFW and served in Korea with the 71st Station Hospital as Sergeant Major.

Prior to becoming Mayor, Donald P. Lemm was a CTA Executive for 40 years, serving in the capacities of Training Specialists, Methods Analysts, Superintendent of Bus and Rail Transportation and Retired as Manager of Insurance and pensions. He also served as Administrative Assistant to the Chairman of the CTA Board and was retained by the CTA as a consultant for three years after retirement.

Mayor Lemm is active in St. Simeon Parish, has served several times as President of the Holy Name Society, is a member of the St. Simeon's Contemporary Choir and St. Simeon's Traveling Troupe, is a Lector and minister of the cup and has served as a member of the Parish Finance/Planning Committee. Prior to becoming Mayor, Donald P. Lemm served for sixteen years as village clerk. As Mayor, he has led the village to greater property values, added business, a more diverse and professional workforce, and a more open atmosphere for village residents.

Mayor Lemm, has served as chairman of the West Suburban Neighborhood Preservation Agency and is a Board Member of such groups as the Boys and Girls Club of Bellwood and Hillside, the Council of Mayors, West Central Municipal Conference (V.P.), West Cook Solid Waste Agency and many more.

Over the years Mayor Donald P. Lemm has vividly demonstrated what it means to be a true public servant. He has consistently put the interest of his community above his personal agendas, he has not played politics with the peoples' needs, he has been a true representative of the people's interest and balanced manager of their affairs. Therefore, I am pleased to congratulate him on an excellent public career and wish him and his family well in retirement.

TRIBUTE TO LT. HAZEL WHITE, ON
THE OCCASION OF HER RETIREMENT

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. BACA. Mr. Speaker, I would like to honor California Department of Corrections Lieutenant Hazel White, who will be retiring on October 31, 2000, having completed 35 years of state service.

Lieutenant White began her career with the Department of Corrections in 1965.

As Camp Commander at Camp Prado, CC #28, she represents the institution with professionalism and distinction, serving as mentor, role model, and example.

Her diligence in handling matters has been an incentive for the staff at Camp Prado and staff from other camps to follow in her footsteps by utilizing professionalism in dealing with all issues. She has been sensitive to issues involving other CDC staff, the inmates and their families. Hazel reminds all who work with her of the importance of working together as a team, by her own diligence and actions.

Throughout the course of her distinguished career, Hazel has been assigned numerous special tasks and projects, including Rape and Assault prevention, and auditing various institutions. Her peers and supervisors have commented often on her enthusiasm and self-motivation.

Her continuous rating of outstanding in performance reports, and numerous awards and commendations issued to her from her superiors speak for themselves regarding her achievements throughout the years, not only as Camp Commander and Lieutenant but as officer and sergeant.

A devoted wife to Charlie White, a retired CDF Fire Captain, Hazel has three adult daughters, and she is also a devoted grandmother. She has been very giving to the community, participating in local youth sporting activities.

People comment on her quick laugh, her sense of humor, and her persistent optimism about the world.

In short, she is a model of excellence we can all follow, at work and in our community. It is my hope that she enjoys a productive, happy, and long retirement. I wish her all of our hopes, all of our thoughts, all of our good prayers, as she embarks upon this new period in her life.

SALUTING JACINTO ACEBAL FOR
RECEIVING THE UNITED STATES
POSTAL SERVICE LIFETIME
ACHIEVEMENT AWARD

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Ms. ROS-LEHTINEN. Mr. Speaker, it is with great pleasure that I congratulate a friend and constituent of my Congressional district, Jacinto "Ace" Acebal, on receiving the Dot Sharpe Lifetime Achievement Award.

This national award for diversity achievement is presented by the United States Postal Service to outstanding postal employees who have demonstrated contributions over a substantial period of their postal careers, including community and civic involvement.

Jacinto joined the United States Postal Service as a letter carrier and during his career has been promoted to Supervisor of Customer Service, Equal Employment Opportunity Counselor Investigator, Human Resource Specialist, and most recently, Hispanic Programs Specialist. As a result of the work that he has accomplished in his latest position, there are more Hispanics on the United States Postal Service south Florida district registers, and the hiring of Hispanic has increased from 35% to 50.4%.

Ace has not only had an exceptionally successful career with the United States Postal Service and been one of our community's most involved and caring members, he has also demonstrated remarkable courage and patriotism. He joined the United States Army, volunteered to go to Vietnam and shortly thereafter requested to be assigned to combat duty. Jacinto was recognized as the most decorated Cuban American in the War having obtained eighteen medals during his one year service.

Here at home, Ace has always exhibited a willingness to volunteer for causes benefitting the young and old, postal employees, civilians, veterans, and especially minorities. He is an active citizen who has contacted me and other Members of Congress on matters such as the importance of saving Social Security and raising awareness of veterans' issue. It is fitting that he should receive the Dot Sharpe Lifetime Achievement Award.

I am proud to know individuals like Jacinto and I ask my Congressional colleagues to join me in congratulating Jacinto on his latest achievement.

MEMORIAL TRIBUTE TO THE LATE
CONGRESSMAN SIDNEY YATES

HON. DAVID D. PHELPS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. PHELPS. Mr. Speaker, I never had the privilege to serve with the late Congressman Sid Yates, but I feel like I have known him through the positive impact he had on the State of Illinois and the Nation. He truly stood for all of the ideals that made this country great.

FOR THE RELIEF OF PERSIAN
GULF EVACUEES

SPEECH OF

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2000

Mr. RAHALL. Mr. Speaker, I rise in strong support of H.R. 3646, a bill I introduced to grant permanent immigrant status to those families who were evacuated from Kuwait for safety reasons by the United States Government prior to United States military intervention against Iraq's invasion of Kuwait in 1990.

These families have been cleared by INS and the FBI, and have been found to be hard-working, self-sufficient individuals, who have been in limbo for nearly a decade while awaiting adjustment of their status.

None of these individuals have ever been a ward of the State, but have found jobs and resources necessary to make themselves completely self-supporting citizens of this country.

I wish to express my deep gratitude to my colleagues, Immigration Subcommittee Chairman LAMAR SMITH, and Judiciary Committee Chairman HENRY HYDE, and their hard working staff, for the effort that they have made to bring this bill to fruition.

It was a long, hard journey of cooperation and coordination among subcommittee and full

committee staff, the Immigration and Naturalization Service, and the Federal Bureau of Investigation, whose job it was to do an in-depth investigation of the Persian Gulf evacuees during their 10 year hiatus in the United States, and to find them worthy of permanent status.

All these efforts, individually and collectively have brought us to today's passage of H.R. 3646, granting permanent immigrant status to those people who have come to be known as Persian Gulf evacuees.

Again, I thank my colleagues for their support of this important legislation to assist these families in securing the right to remain in the United States after our government evacuated them from Kuwait at the start of the Persian Gulf war, to ensure their safety.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. BECERRA. Mr. Speaker, on October 24, 2000, I was detained with business in my district, and therefore unable to cast my votes on rollcall numbers 541 through 543. Had I been present for the votes, I would have voted "yea" on rollcall vote 542, and "nay" on rollcall votes 541 and 543.

PERSONAL EXPLANATION

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. TAUZIN. Mr. Speaker, I was recorded as a "yea" on rollcall vote No. 382. It was my intention to vote "nay".

THE ARIZONA WATER
SETTLEMENTS ACT OF 2000

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. PASTOR. Mr. Speaker, I am proud to be a sponsor of the Arizona Water Settlements Act of 2000, H.R. 5529. This legislation, which was introduced yesterday with the support of the entire Arizona House Delegation, will resolve several long-standing issues pertaining to the repayment obligations and water allocation related to the Central Arizona Project. Although outstanding issues remain, significant progress has been made. It is my hope that the introduction of this bill will encourage all parties involved to quickly finalize the few remaining issues of the agreement, as well as show the Delegation's strong commitment to seeing this process through.

Among the issues yet to be firmly resolved is that of the procedures through which Tribes may bring land acquired after the settlement date into "trust." It is my understanding that although the Tribes have been working closely with the State parties, and that a tremendous amount of work has already been accom-

plished, the final details have yet to be agreed upon. Settling this issue will require a delicate balance of interests, and the outcome will impact not only the parties to this settlement, but other tribes as well, including the Pascua Yaqui and Tohono O'Odham in the district I represent. In fact, all of Indian Country will be looking to this provision because it could very well affect all future Native American water and land dispute settlements. Therefore, this matter must be finalized in a manner that sets an acceptable precedent if the final agreement is to maintain the broad support enjoyed by this preliminary legislation.

There are other important and difficult issues yet to be resolved, including the utilization of settlement funds. Nevertheless, I am extremely encouraged that all the parties are so close to an agreement and focused on cooperation. I commend all the parties involved for their determination to make this happen and their commitment to negotiate their differences for the benefit of all Arizonans. This agreement is a cornerstone of the foundation on which Arizona will thrive in the future. I am proud to support the new Act, and I look forward to enacting final legislation on this issue early in the 107th Congress.

RETIREMENT OF HON. TILLIE
FOWLER

SPEECH OF

HON. JIM DAVIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2000

Mr. DAVIS of Florida. Mr. Speaker, tonight I would like to pay tribute to Congresswoman TILLIE FOWLER. TILLIE's record of service has made the 4th Congressional District of Florida and the entire state proud.

Not long ago, a close friend of mine, who is also one of Congresswoman FOWLER's constituents, told me a story about TILLIE that captures her character perfectly. He said that he was shopping in the grocery store one day and recognized his Congresswoman in one of the aisles. Taking a chance, he walked up to TILLIE and introduced himself. Soon, my friend discovered that even in the midst of grocery shopping, his Member of Congress is kind, compassionate and down-to-earth and treats her constituents with the respect and attention they deserve.

Those in Congress who have had the privilege to get to know TILLIE recognize that she has as much respect for this institution as she does for the people she represents. She is thoughtful in her actions and independent in her decisionmaking. TILLIE's integrity and dedication to her work stands as an example for her colleagues on both sides of the aisle.

Finally, on behalf of all the citizens of Florida, I would like to thank TILLIE for her service to our great state. TILLIE's efforts on behalf of all Floridians is evidence of her love for our great state. I know I speak for everyone in sending her my best wishes for all her future endeavors.

RECOGNITION OF U.S. OLYMPIC
MEDALISTS DeLISHA MILTON

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. KINGSTON. Mr. Speaker, today I rise to recognize DeLisha Milton as a gold medalist in the 2000 Summer Olympics. We should all applaud her hard work and determination in representing our country in the Olympic Games.

DeLisha Milton of Riceboro, Georgia, won the gold medal in the women's Olympic basketball tournament. The defending gold medalists U.S. Women's Basketball Team (8–0) made it look easy when they won the game 76–54 victory over host Australia to finish first in the tournament. The win marked the 34th triumph in 37 Olympic games from the Americans since women's basketball became an Olympic sport in 1976.

Milton was a key member of the United States team that won all nine of its games and captured the gold at the 1998 World Championship. She averaged 7.1 points and 4.2 rebounds per contest in the tournament. The previous year, Milton helped the U.S. triumph at the World University Games.

Milton completed a standout collegiate career in 1997. As a senior, she led Florida to the quarter finals of the NCAA tournament and earned Southeastern Conference Player of the Year honors. Averaging 19.4 points and 8.8 rebounds per game, Milton was a first-team All American selection and also won the Wade Trophy, awarded annually to the Nation's top senior in women's basketball.

Please join me again in applauding DeLisha Milton on earning the gold medal in the 2000 Olympic Games. Through her hard work and determination she has excelled at the game of basketball. She is a fine young woman with high morals. Our society today needs more people like her that work extremely hard to represent our country. This young woman not only achieved an Olympic medal she proved that the American youth are indeed the best!

'STANKY AND THE COAL MINERS'
CELEBRATE 55TH ANNIVERSARY

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to John "Stanky" Stankovic of Nanticoke, Pennsylvania, who has been entertaining people of all ages with his polka magic for 55 years. In 1945, at the age of 9, Stanky and some friends landed a job playing polka music at a three-day wedding in Nanticoke.

From that beginning, Stanky and the Coal Miners, as he and his band are known now, have gone on to play all over the world with scores of famous people. He has learned or written more than 500 songs, most of which are featured in the band's 21 albums and six videos.

He learned to play the accordion from his father, Joe Stankovic, a Czech immigrant who came to America at age 16 and went straight to work in the coal mines. When Stanky was

a young man, he was more interested in being a professional baseball player. However, his father wisely made sure he practiced his music one hour a day before going out to play, and audiences around the world have benefited from Stanky's ultimate career choice. For example, in 1988, Stanky and the Coal Miners played to a crowd of a million people in Tiananmen Square in Beijing, China.

While the membership of the Coal Miners has changed many times over the years, Stanky's own family now forms the core of the band. Playing regularly with him are his wife, Dottie; his daughters, Kim Bukowski and Debra Horoschock; his son-in-law, Vince Horoschock; and his granddaughters, 3-year-old Alexandra Bukowski and 2-year-old Ashley Horoschock. Other members include drummers Norbert Wisniewski, Tom Novakowski and Dave Burns and trumpeter Mark Steinkircher.

Stanky and Dottie also host and produce the popular "Pennsylvania Polka" program on WVIA, Northeastern Pennsylvania's public television station. The show has aired for 20 years, allowing him to reach a wider audience of fans. While Stanky travels the world, he always remembers the region he calls home and the people who love his music. When he is in Northeastern Pennsylvania, Stanky also devotes one or two days a week to playing concerts at local rest homes.

Mr. Speaker, I send my congratulations to Stanky and the Coal Miners in this, the year of their 55th anniversary, and I also send my best wishes for continued success.

TRIBUTE TO REPRESENTATIVES
THOMAS EWING AND JOHN PORTER

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. DAVIS of Illinois. Mr. Speaker, I rise to pay tribute to two retiring members of the Illinois Delegation who have faithfully and effectively served their constituents and the citizens of this Nation.

Firstly, Representative THOMAS W. EWING, who spent 17 years in the Illinois General Assembly and rose to the positions of Assistant Republican Leader and Deputy Minority Leader, before he left to come to Congress.

In Congress, Representative EWING has focused much of his attention on issues relating to agriculture, crime prevention, education, economic growth and healthcare. It has been a pleasure working with Representative EWING and I wish him well as he returns to the very pleasant, peaceful and friendly community in and around Pontiac, Illinois.

And now Mr. Speaker, I turn my attention to Representative JOHN EDWARD PORTER, who is completing his 11th term as a member and is very astute, sensitive and effective Chairman of Labor, HHS-Education Appropriations Subcommittee. He is founder and Co-Chairman of the Congressional Human Rights Caucus. He has been cited many times by various budget watchdog groups and has stood in the vanguard on environmental issues. Representative PORTER has been a strong supporter of biomedical research, a real friend of Community Health Centers and has stood tall against the continuous spread of HIV-AIDS.

The Core Center of Chicago stands today as a model to fight these dreaded diseases. And is a testament to the support which JOHN PORTER gave to its efforts. One of the things that I like best about JOHN is his ability to convey optimism even when the cupboard is practically bare. It's been a pleasure working with Mr. PORTER, I thank him for his sensitivity to the issues facing America and especially my district and wish him well in retirement.

TRIBUTE TO THE HONORABLE TOM
EWING ON HIS RETIREMENT
FROM CONGRESS

SPEECH OF

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2000

Mr. KNOLLENBERG. Mr. Speaker, I rise to salute my friend and colleague, Congressman TOM EWING. Like the rest of the Members of the House, I can say that TOM will be sorely missed when he leaves this body.

Before I go any further, I must point out that TOM, myself, and Representative BILL BARRETT all bear a resemblance to one another. It is not uncommon for colleagues to confuse us for one another.

Colleagues often say such things as, "Great job in the chair" or "Saw you on television—good job" or some have approached me with an agriculture issue. The thing is, I wasn't even close to the chair, on television, or on a committee that deals with ag issues.

In fact, I have been mistaken for TOM or BILL—and vice versa—so many times that it has become somewhat of an inside joke among the three of us.

Actually, it has gotten so out of hand that people have started confusing whose wife is with whom. Now I've been married to my wife Sandie for 38 years, but TOM and BILL continually have people mistakenly ask them how their "wife" Sandie is.

Of course, these people are making an honest mistake but, naturally, the three of us have only perpetuated it—sometimes when these people ask me how Connie or Elsie are doing, I'll kid around and answer them. And these guys are all too ready to return the favor when people ask them about Sandie.

It's gotten so regular that one time TOM and BILL saw Sandie approaching in one of the hallways and TOM quipped to BILL, "Look BILL, here comes our wife."

Since TOM and BILL are moving on, I won't have anyone to get confused with anymore. I might start to get lonely.

On a more serious note, TOM has been a good friend and a valuable Member of the House of Representatives. His experience—first as a lawmaker in the Illinois State House and then in this body—will be missed. His advice and level perspective will be notably absent.

Sandie and I wish you and Connie health, happiness, and love as you enter the next phase of your lives.

CONGRATULATING VICTORIA CLARK ON HER ACHIEVEMENTS IN SCIENCE

HON. SAXBY CHAMBLISS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. CHAMBLISS. Mr. Speaker, I want to congratulate Victoria Clark, a Ware County High School freshman, for receiving top honors in the state of Georgia in the field of science. She has become a finalist in the Discovery Young Scientist Challenge and is competing with 40 students nationwide for a college scholarship.

Miss Clark was recognized as a state winner because of the outstanding science project she entered in the state competition. The project she has been working on focuses on a way to detect early signs of age-related macular degeneration, which is incurable and hereditary. This disorder is the leading cause of blindness. Her research has explored the prospective of using a color hue test to discover the disease early on.

Miss Clark was an eighth grade student when her project was chosen to compete at the state level. She won first place at the Georgia Science and Engineering Fair in April. She was chosen for the national competition from among 1,600 other middle school students in 23 states who entered the competition.

Victoria Clark is a wonderful student and has been recognized many times before for her scholastic aptitude, especially in science. She is also a well-rounded young person and a contributing citizen of Waycross, Georgia. She is working for the betterment of her community, and with this project, she is contributing not only to her own success, but to finding a cure which threatens people the world over.

Mr. Speaker, I want to congratulate and honor Victoria Clark. She is a bright young person who is helping people by improving the detection of this life altering disease. Her research is amazing and has been recognized as such by teachers and scientists alike. For one so young, too, her accomplishments are exceptional. She serves as an example to all of us of what young people can do for others if given the opportunity.

RECOGNIZING ROBERT R. McMILLAN AND HIS CONTRIBUTIONS TO RELATIONS WITH PANAMA

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. KING. Mr. Speaker, I rise today to recognize the high priority that should be placed on improving our relationship with Panama. Beyond the interest in the Panama Canal, where the traffic destined to or from the United States amounts to some 65% of total Canal tonnage, U.S. investment in Panama ranks third in Latin America. Panama has many investment opportunities and is fast becoming a strong tourist destination. Large numbers of Panamanians are fluent in English, and the

U.S. dollar is the official currency of the nation making Panama attractive to private investments. It is extremely important, in the interests of both the United States and Panama, to keep strong personal and economic ties between the countries.

One Long Islander is trying to make a difference in those relations. Robert R. McMillan has just been elected Chairman of the United States-Panama Business Council—an organization devoted to the continuance of close relations between our two nations. I want to congratulate him on his election and wish him the best in his new endeavors.

H.R. 5430: THE CONSUMER ONLINE PROTECTION ACT

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. GREEN of Texas. Mr. Speaker, American consumers are flocking to the Internet in unprecedented numbers seeking to transact business and tap the nearly limitless informational databases. The explosion in Internet usage, however, is not without problems. Unlike shopping in a mall or browsing through a library where individuals travel anonymously through the merchandise racks and library stacks, the Internet is increasing becoming less and less anonymous. Direct marketing firms are now trying to identify individuals as they surf the web to isolate where they visit and what they are viewing.

While just knowing where individuals are traveling to on the Internet has some value it is the next step in data collection that is most disconcerting. Companies are now attempting to complete the step by attaching your personal information to your web site visits. It is this type of activity that has truly frightening implications because it lifts the veil of anonymity that consumers enjoy in the traditional bricks-and-mortar marketplace. Powerful computer programs have been developed that can compile personal information at a level and completeness usually associated with the knowledge of an immediate family member.

For that reason, I have introduced H.R. 5430, the Consumer Online Protection Act of 2000. H.R. 5430 seeks to return some of the anonymity back to consumers while they are online by prohibiting the correlation of personal information to web visits. In addition, the legislation requires the Federal Trade Commission (FTC) to promulgate rules specifying that all operators of a Web site or online service provide clear and conspicuous notice of their privacy policy in clear non-legalistic terms. H.R. 5430 also requires a Web site or online service to provide consumers with an opt-out to prevent the use of their personal information for any activity other than transactional. Finally, the privacy policy must clearly state how any collected information will be shared or transferred to an external company or third party.

Taken in combination, these requirements will provide consumers with the knowledge and control they need to prevent the dissemination of personal information provided to an online entity. What I am seeking to prohibit is a third party creating a complete profile of individuals and families to sell or share without

prior affirmative consent. While I understand that there are many differing approaches to the issue of Internet privacy, I believe this legislation addresses a critical component and I look forward to moving this legislation in the 107th Congress.

THE DEATH IN CUSTODY REPORTING ACT OF 2000

HON. ASA HUTCHINSON

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. HUTCHINSON. Mr. Speaker, I rise to commend the work of this Congress in passing H.R. 1800, the "Death in Custody Reporting Act of 2000." This bipartisan legislation was passed unanimously by both the House and the Senate and will bring much-needed accountability to the operation of our nation's prisons and jails. Passage of this legislation brings to an end a seven year effort to increase public trust in our criminal justice system.

Each year, an estimated 1,000 men and women die questionable deaths while in police custody or in jail. Many of these deaths are listed as suicides, but such conclusions are often tainted by inadequate recordkeeping, investigative incompetence, and contradictory physical evidence. In addition, many of these individuals have been arrested for relatively minor offenses—reducing the likelihood that they would take their own lives.

Suspicious deaths occur throughout the country and require our immediate attention. One teenage boy who was found dead by hanging in an Arkansas jail had been arrested for failing to pay a fine for underage drinking. Another individual in an Arkansas jail was found suffocated by toilet paper that had been stuffed down his throat. According to press reports, no records existed as to why he was in custody.

In any other atmosphere, unnatural deaths under questionable circumstances would not only be reported, but would raise serious concerns. State and local jails and lockups should be no different. This legislation will provide openness in government and will bolster public confidence and trust in our judicial system. In addition, it will serve as a deterrent to future misconduct as wrong-doers will know that their actions will be monitored.

Mr. Speaker, I also want to acknowledge the work of Mr. Mike Masterson, a veteran reporter and editor, who began investigating suspicious prison deaths some 5 years ago as the investigative projects editor at the Asbury Park Press. His comprehensive review of these cases, which was published by the Asbury Park Press in February 1995, led to increased public awareness of this issue and prompted my support for the idea of collecting better data on these deaths. While Mr. Masterson served only briefly at the Asbury Park Press, he continued writing about this issue during his tenure as editor of the Northwest Arkansas Times in Fayetteville, Arkansas. I am grateful indeed for Mr. Masterson's long-time support and dedication to this issue.

Finally, I want to thank my colleagues, Representative BOBBY SCOTT and Senator TIM HUTCHINSON for their support. These gentlemen began this debate many years ago and

I am grateful for their foundational work on this issue.

PERSONAL EXPLANATION

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. SIMPSON. Mr. Speaker, on rollcall No. 534, final passage of S. 2796, the Water Resources Development Act of 2000; I was inadvertently detained. Had I been present, I would have voted "yea."

INTRODUCTION OF THE RETIREMENT ENHANCEMENT ACT OF 2000

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. ANDREWS. Mr. Speaker, today I introduce the Retirement Enhancement Act of 2000. The Retirement Enhancement Act of 2000 consist of two bills one amending the Employee Retirement Income Security Act (ERISA) and the other amending the Internal Revenue Code (IRC). These bills are the product of my work as the Ranking Member of the Subcommittee on Employer-Employee Relations, which earlier this year held a number of bipartisan hearings to consider updating ERISA. Throughout the hearings, the Subcommittee Chairman, Representative JOHN BOEHNER, and I, maintained a common agenda of seeking to strengthen a private pension system that is already very strong as a result of ERISA. We both recognized ERISA's achievement in moving from a system where insecure pensions were somewhat common, to a situation where insecure pensions are exceedingly rare. Witnesses were selected to testify at the hearing that could assist us in looking for ways the Congress could make the pension holdings of Americans expand and grow even more secure.

The subcommittee heard from representatives of pension participants, employers, and financial advisors. They presented us with a variety of proposals to improve the retirement security of American workers. Taking the best of these contributions, and coupling them with other pension provisions that I have either advocated or supported in the past, I drafted this comprehensive pension reform legislation.

Joining with me as cosponsors of the Retirement Enhancement Act of 2000 are numerous members of the Committee on Education and the Workforce, including Representatives CLAY, KILDEE, OWENS, PAYNE, MINK, WOOLSEY, ROMERO-BARCELO, FATTAH, TIERNEY, KIND, SANCHEZ, FORD, KUCINICH and HOLT. They share my belief that enactment of these bills will ensure that all workers and retirees receive their promised benefits.

Since the enactment of ERISA, the number of Americans who participate in a pension plan has grown from 38.4 million in 1975 to almost double that today. While this growth is

considerable, it still leaves about half the workforce without access to a pension plan through their employer. Both the General Accounting Office and Congressional Research Service have recently completed studies analyzing pension coverage in the United States. The studies found that about

These bills seek to eliminate the remaining weaknesses in ERISA and lay the groundwork to help those not covered by an employer pension. These bills seek to improve pension coverage and adequacy. Pension coverage for all workers is very important and we should all support the effort to achieve this goal. Under these bills, employers that sponsor plans would be required to offer pension coverage to all employees who meet current minimum eligibility requirements such as completion of one year of employment. These bills also improve coverage for part-time workers who represent one of the largest groups without pension coverage. As the workforce changes to include many temporary and contract workers, Congress must also help to improve pension coverage for this part of America's workforce. With the ever-changing workforce it is also important that we decrease the vesting period for workers in defined contribution plans. For workers who will have many employers during their working lives, we need to ensure that they will earn pension benefits that will benefit them in retirement.

The Retirement Enhancement Act seeks to expand pension availability to those workers without it. One of the innovative ways in which it would do so is to create a model small employer group pension plan into which small employers could buy in with minimal administrative responsibilities. The Departments of Labor and Treasury would work with associations or financial institutions to advertise these model plans so that employers would know that easy and accessible pension options exist.

The Retirement Enhancement Act of 2000 includes important pension protections for women. These bills establish a 75 percent joint and survivor annuity option that would provide surviving spouses greater benefits in retirement. It protects divorced spouses' pension rights and improves spousal information rights. These bills would also allow for time taken off from work under the Family and Medical Leave Act to count toward pension participation and vesting requirements.

The act improves ERISA's safeguards for the investment of pension plan monies. It creates an expedited prohibited transaction exemption approval process under which plans would be able to more easily and quickly provide participants with new investment products. It does so, however, without weakening participant protections. These bills also make clear that employers may offer access to investment advice to participants with limited liability provided such advice is by qualified advisors and they are subject to the fiduciary responsibility requirements. This will be extremely helpful to those workers in defined contribution pension plans who bear the primary responsibility for their pension plan investment decisions.

The Retirement Enhancement Act of 2000 improves access to pension information and strengthens enforcement mechanisms. It would require that plan participants regularly

receive statements apprising them of the status of their earned pension benefits. Pension plans would also have to provide more detailed financial information about their earnings and investments.

The bills create an alternate dispute resolution system to resolve benefit disputes. The Department of Labor, along with dispute resolution organizations, would develop an early neutral evaluation program. This would allow for participants to receive benefits in a timely manner instead of after years of litigation. The bills also strengthen ERISA's remedies to ensure that participants have meaningful access to court, and that the courts can remedy violations of the law.

Finally, the Retirement Enhancement Act of 2000 requires the timely distribution of defined contribution cash-out amounts, which would have to be made within 60 days of an employee's termination. It permits employees to work longer without being required to start pension receipt by delaying the minimum distribution of benefits from age 70½ to 75. Furthermore, for workers who are involuntarily terminated, it permits them to borrow against their pension earnings in order pay for health or job training expenses.

Mr. Speaker, it is now time for the Congress to build on what was started with the enactment of ERISA in 1974, and take additional steps to ensure retirement security for our workforce. Advances in medical technology, environmental protection, nutrition, and improved living standards give us reason to believe that Americans are going to live longer lives. Whether the quality of these lives, after retirement, is good or not, will depend upon the existence, nature, and security of each person's pension plan. Because employers are rapidly shifting to the use of employee-directed pension accounts, more and more workers will be making decisions that are critical to their future financial health. I believe that the Retirement Enhancement Act of 2000 will help make those decisions easier, and make the benefits of those decisions more secure. I look forward to working with my colleagues and the pension community to continue to improve these bills and advance their consideration during the next Congress.

Mr. Speaker, I submit the following summary and letters of support from AARP, AFL-CIO, the Pension Rights Center, and the Women's Institute for A Secure Retirement to be included in the RECORD.

SUMMARY OF THE RETIREMENT ENHANCEMENT ACT OF 2000 SPONSORED BY CONGRESSMAN ROBERT E. ANDREWS

EMPLOYEE RETIREMENT INCOME SECURITY ACT (ERISA) AMENDMENTS

TITLE I. IMPROVED PENSION VESTING AND PARTICIPATION:

(1) PENSION COVERAGE FOR ALL EMPLOYEES—Employers that sponsor plans would be required to offer pension coverage to all employees who meet minimum eligibility requirements in a single line of business (age 21 or older, one year of service).

(2) IMPROVE COVERAGE FOR PART-TIME WORKERS—Reduce from 1000 to 750 or more hours a year the minimum service requirement and provide pro-rata credit for part-time workers.

(3) 3 YEAR VESTING FOR DEFINED CONTRIBUTION PLANS—The maximum pension vesting period for defined contribution plans would be reduced to 100% after 3 years or 20% a year phased in over 5 years.

(4) ENCOURAGE CREATION OF SMALL EMPLOYER GROUP PENSION PLANS—Model small employer group pension plans would be created in which small employers could buy in with minimal administrative responsibilities. The Departments of Labor and Treasury would contract with associations or financial institutions to advertise the model plans.

TITLE II. IMPROVED PENSION PROTECTIONS FOR WOMEN

(1) ELIMINATE INTEGRATION WITH SOCIAL SECURITY AND OTHER BENEFITS—Prospectively prohibit the reduction of pension benefits by integrating them with Social Security or workers' compensation benefits and adjust pre-1989 benefits for current employees.

(2) EXTEND SPOUSAL CONSENT TO DEFINED CONTRIBUTION PLANS—Provide spouses in defined contribution plans with the right to consent to plan distributions.

(3) PROVIDE A 75% JOINT AND SURVIVOR ANNUITY OPTION—Provide a 75% joint and survivor annuity option to participants in plans which currently offer a 50% annuity and other annuity forms (survivor would receive 75% of joint spousal benefit).

(4) PROTECT DIVORCED SPOUSES' PENSION RIGHTS—Divorce decrees would be required to specify how pension benefits are to be allocated or if allocation waived.

(5) COUNT FAMILY AND MEDICAL LEAVE FOR VESTING—Family and medical leave would count towards pension participation and vesting.

(6) IMPROVE SPOUSAL INFORMATION RIGHTS—Provides spouses with information about survivor annuities and elective contributions.

(7) EXTEND PRIVATE SECTOR PROTECTIONS TO CIVIL SERVICE AND MILITARY RETIREMENT—Extend private sector spouse and divorce protections to civil service and military retirement systems (i.e. civil service—presume spouse is beneficiary, and military—permit surviving spouses to receive higher benefits if they delay retiring until Social Security eligibility age.)

TITLE III. IMPROVED INVESTMENT STANDARDS

(1) CREATE AN EXPEDITED PROHIBITED TRANSACTION APPROVAL PROCESS—Create an expedited interim DOL approval process under which plans would be able to engage in financial transactions that require prohibited transaction exemption if the financial entity provides the plan with a letter of credit and meets other fairness requirements.

(2) CLARIFY INVESTMENT ADVICE RULES—Codify Department of Labor interpretive bulletin provisions in order to make clear that employer liability is limited to selection and oversight of advisor and provide standards for qualified investment advisors.

(3) PERMIT EMPLOYEE INVOLVEMENT IN PENSION INVESTMENTS—Permit participants in defined contribution plans in which employees make contributions to participate in investment and other plan decisions.

(4) ENCOURAGE DIVERSIFICATION OF PENSION ASSETS—Permit employees to request diversification of employer contributions. Plans may phase in over a reasonable period of time not to exceed 3 years. ESOPs and stock bonus plans exempted.

(5) IMPROVE PARTICIPANT ACCESS TO INVESTMENT INFORMATION—Participants may, upon written request, receive information on specific plan investment transactions and proxy votes.

(6) PROVIDE INVESTMENT RETURN INFORMATION—Plans would be required to include reporting of net return and administrative fees in benefit reports to participants.

TITLE IV. IMPROVE PENSION INFORMATION AND ENFORCEMENT

(1) PROVIDE PARTICIPANTS WITH PERIODIC BENEFIT STATEMENTS—Participants in single employer defined benefit plans every 3 years and participants in defined contribution plans annually would receive a statement of their expected benefits. Multi-employer plan participants would receive statements on request.

(2) PROVIDE ACCURATE FINANCIAL STATUS INFORMATION—Pension plan sponsors would be required to accurately report their financial status to participants in order to correct misinformation generated by Financial Accounting Standards Board (FASB) requirements.

(3) IMPROVE PENSION PLAN AUDITING—Accountants would be required to conduct full scope audits and report financial irregularities to the Department of Labor.

(4) IMPROVE PENSION PLAN DATA COLLECTION—The Department of Labor would be directed to collect sufficient statistical and survey information and biennially report to Congress and the public on pension coverage and adequacy.

(5) PROVIDE ACCESS TO ALTERNATIVE DISPUTE RESOLUTION—The Department of Labor, in consultation with dispute resolution organizations, would develop an early neutral evaluation program to aid resolution of pension grievances.

(6) IMPROVE COURT ENFORCEMENT OR WRONGFUL BENEFIT DENIALS—Permit courts to review benefit denials de novo and award prevailing plaintiff's attorneys' fee and costs (including expert witness costs) and appropriate relief.

(7) PERMIT PBGC TO TRACK LOST PENSIONS—Authorizes the PBGC to assist defined contribution plans in locating missing participants.

TITLE V. IMPROVING PENSION PROTECTIONS FOR THE CHANGING WORKFORCE

(1) PERMIT LOANS TO PAY HEALTH OR JOB TRAINING EXPENSES—Involuntarily terminated employees would be able to borrow against some of the pension benefits and IRA fund to pay health care expenses, including COBRA premiums, and job training expenses.

(2) AUTOMATIC ROLL-OVER OF PENSION MONIES—Provides that lump sum pension cash-out prior to retirement will be automatically rolled over to another qualified pension plan unless the participant elects to receive a lump sum cash-out.

(3) TIMELY DISTRIBUTION OF BENEFITS—Defined contributions plans which are immediately valuable would be required to pay lump sum distributions within 60 days of employee termination.

(4) PHASE-IN BENEFIT REPAYMENTS—Permit participants who have received benefit overpayments to request repayment over a phased in period, up to 5 years, and permit fiduciaries to waive repayment in hardship cases.

INTERNAL REVENUE CODE AMENDMENTS

(1) EXPAND PARTICIPANT PROTECTIONS IN STATE AND LOCAL PLANS.—Create reporting and disclosure and enforcement requirements for public plans, including review boards to oversee plan changes.

(2) NARROW 401(K) PLAN EXEMPTIONS—The 401(k) non-discrimination safe harbor exemption would be narrowed so that the exemption only applies if an employer enrolls all eligible employees in the plan.

(3) SIMPLIFY SIMPLE EMPLOYEE PENSIONS (SEPs)—Make SEPs simpler by per-

mitting 3 year vesting, increasing contribution limits, and eliminating other administrative requirements.

(4) INCREASE MINIMUM DISTRIBUTION AGE—Permit retirees to delay pension receipt from 70½ to 75.

(5) IMPROVE MULTI—EMPLOYER PLAN PROTECTIONS—Eliminate unfair restrictions on multi-employer plan pension benefits and increase PBGC guaranteed benefit levels for multi-employer plans.

(6) HARMONIZE STATE AND LOCAL PENSION PLAN TREATMENT—Provide comparable benefit rollover treatment for 457 state and local plans as is provided to private section plans.

(7) PROHIBIT ANTI—UNION EXCLUSIONS—Prohibit employers from excluding unionized employees from 401(k) plan participation if the employees have no other plan.

AARP

Washington, DC, October 24, 2000.

Hon. ROBERT ANDREWS,

U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE ANDREWS: AARP applauds your leadership in introducing the Retirement Enhancement Act of 2000. Your bill would build upon efforts to improve coverage and benefit adequacy in our pension system.

While Social Security and Medicare remain the foundation of retirement security, other components of the retirement framework must be improved. In particular, we must begin to address the continued holes in pension coverage, adequacy and portability. Pension coverage rates have been stagnant for the last twenty-five years, with just under half the workforce covered by a pension. In addition, the shift to defined contribution plans, such as 401(k) plans, has created new challenges for achieving equity and adequacy.

Under current law, employers are permitted to exclude a large percentage of workers for coverage under any plan the employer offers. Your bill would help address the need for greater pension coverage by improving the minimum coverage rules. In addition, your bill would encourage the creation of plans in the small business sector, which is especially important given the lack of coverage in this part of the workforce.

Your bill would also attempt to improve benefit adequacy by eliminating integration of pensions and Social Security, a practice which disproportionately reduces benefits for lower wage workers. Your bill would also seek to improve equity for women by improving spousal rights and benefits. Given that the average benefit for women is only about half the amount of the average benefit for men, as well as women's longer life expectancy, improvements are essential if we are to improve the economic security of women as they age.

AARP supports your effort to improve the information available to plan participants by requiring that plans provide periodic benefit statements. While many employers routinely provide such statements, participants should be automatically entitled to information about the amount and security of their benefits. Your bill would also attempt to address some of the problems associated with plan distributions by providing for automatic rollovers of benefit amounts from a plan to another retirement vehicle. This change is crucial to helping ensure that retirement money is actually preserved for retirement.

AARP commends you for your efforts to address some of the shortcomings in the current pension system. If pensions are to become a more universal and more adequate source of retirement income security, then

changes are needed. AARP looks forward to working with you and others in Congress to further improve the pension system. If you have any further questions, please feel free to call me, or have your staff call David Certner of our Federal Affairs staff at 202-434-3760.

Sincerely,

MARTIN A. CORRY,
Director, Federal Affairs.

AMERICAN FEDERATION OF LABOR
AND CONGRESS OF INDUSTRIAL OR-
GANIZATIONS,

Washington, DC, October 2, 2000.

Hon. ROBERT E. ANDREWS,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE ANDREWS: The AFL-CIO commends your efforts to improve the retirement security of America's working families by introducing the Retirement Enhancement Act of 2000. This important legislation will expand coverage, strengthen workers' rights, and improve benefit security at a time when too many workers lack adequate pension benefits on their jobs and those who are fortunate enough to have pensions, increasingly find them at risk.

Among the bill's many provisions that will mean a better retirement future for working families are important worker protections that would:

Limit an employer's ability to unfairly divide its workforce and deny workers pension coverage;

Ensure that workers will have a real voice in the management of their 401(k) and other defined contribution pensions;

Extend important disclosure and enforcement protections to workers who participate in pension plans sponsored by state and local government employers;

Make critical improvements to the insurance protections for workers participating in multiemployer plans, bringing them more in line with corporate single employer plans.

The AFL-CIO supports the Retirement Enhancement Act of 2000 and thanks you for raising this vitally important issue.

Sincerely,

PEGGY TAYLOR,
Director, Department of Legislation.

PENSION RIGHTS CENTER,
Washington, DC, October 12, 2000.

Hon. ROBERT E. ANDREWS,
Rayburn House Office Building, Washington,
DC.

DEAR CONGRESSMAN ANDREWS: The Pension Rights Center is pleased to express our strong support for the Retirement Enhancement Act of 2000.

Your legislation would encourage the creation of new private retirement plans that would provide pensions fairly for workers, and would end many of the inequities that affect so many employees who are now participating in plans. The Retirement Enhancement Act would also address too-long-overlooked problems affecting homemakers in both the private and federal retirement systems, and would help even the playing field for private sector participants and beneficiaries seeking to enforce their pension rights.

The Pension Rights Center is a nonprofit consumer organization dedicated to promoting retirement income security. For the past 24 years, the Center has worked with retirees, women's and employee organizations to secure a wide range of reforms to improve the nation's pension programs. We commend you for introducing this critically important legislation, which holds the promise of assuring millions of working Americans that they

will have enough money to pay their bills when they are too old to work.

Sincerely yours,

KAREN W. FERGUSON,
Director.

WOMEN'S INSTITUTE FOR A SECURE
RETIREMENT,
Washington, DC, October 6, 2000.

Hon. ROBERT ANDREWS,
U.S. House of Representatives,
House Education and Workforce Committee,
Rayburn House Office Building, Wash-
ington, DC.

DEAR REPRESENTATIVE ANDREWS: We applaud the introduction of the Retirement Enhancement Act of 2000 (REA 2000) because it addresses the current alarming situation—a situation where millions of women are retiring into eventual poverty, despite a lifetime of work. This bill will improve the long-term economic security of women, by removing many of the barriers that have made it impossible for many women (and men) to achieve a secure retirement without the benefit of an employer-sponsored pension plan. In addition, this legislation increases protection for women during the times when they are most economically vulnerable—during divorce and widowhood.

The Women's Institute for a Secure Retirement (WISER) is a nonprofit organization that seeks to ensure that poverty among older women will be reduced by improving the opportunities for women to secure retirement benefits. WISER works with community based organizations, advocates and policymakers to provide a key link between federal policy and individual women.

Although women are entering the workforce in record numbers, their access to retirement benefits has not followed at the same level. A recent report indicates that women comprise 69% of retired persons living below the poverty threshold without pension income. In addition, because women earn less than men—75% of working women earn \$30,000 a year or less—which impacts the amount they can save for their own retirement.

Again, we support REA 2000, which reflects many of the provisions contained in WISER's Pension Action Agenda to improve pension and healthcare benefits for women.

Sincerely,

M. CINDY HOUNSELL,
Executive Director.

INDIA PRACTICING STATE TER-
RORISM IN PUNJAB AND KASH-
MIR

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. BURTON of Indiana. Mr. Speaker, there have been several disturbing reports lately coming out of India on its human rights violations in Punjab, Kashmir, and elsewhere. These reports demonstrate that India is still heavily involved in terrorism.

On September 16, 2000, Indian author Pankaj Mishra wrote an article in the New York Times about how India has lost its way in terms of democracy and human rights. He wrote that "the Hindu nationalists remain attached to a stern 19th century idea of nationalism, which dilutes traditional social and cultural diversity and replaces it with one people, one culture and one language." This is a climate of intolerance that no government, espe-

cially one claiming to be "democratic," should be promoting. He noted that the Indian government "has used brute force in Punjab, the northeastern states, and now Kashmir to suppress disaffected minorities."

This "preference for force over democracy," as Mishra calls, it is also explained in material published by the Human Rights Network in New York. It cites the tens of thousands of Sikhs who are being held as political prisoners in "the world's largest democracy," as well as the massacre of 35 Sikhs in Chithi Singhpora, Kashmir, during the President's visit to India in March. The organization also documents the government's arrest of human-rights activist Rajiv Singh Randhawa, who was the only eyewitness to the police kidnapping of Jaswant Singh Khaira, and other incidents. Khaira, the General Secretary of the Human Rights Wing, was subsequently murdered while in police custody. The police picked up Mr. Randhawa in June of 2000 when he tried to give British Home Minister Jack Straw a petition on human rights.

The Indian government has murdered over 250,000 Sikhs since 1984, according to the Politics of Genocide by Inderjit Singh Jaijee. More than 200,000 Christians in Nagaland, over 70,000 Muslims in Kashmir, and tens of thousands of other minority people are also being killed at the hands of the Indian government. The U.S. Commission on International Religious Freedom has cited India for "denial of religious freedom to her people."

It is incumbent upon the United States as the moral and democratic leaders of the world to do whatever we can to spread freedom to every corner of the world. We must impose penalties on India for its violations of religious freedom, as the law demands. We should declare India a terrorist state, as 21 Members of this House urged the President to do in a letter earlier this year. We should stop most foreign aid to India until everyone within its borders enjoys the basic human rights that define a democratic country. And we should urge India to hold free and fair plebiscites under international monitoring in Punjab, in Kashmir, in Nagaland, and wherever there is a freedom movement to determine the political future of these states in the democratic way. Canada has held periodic votes in Quebec on its political status. In America, we have done the same for Puerto Rico. When will India follow the lead of the real democracies in the world and allow people to decide their own future by the democratic means of voting.

All of this information and more can be found in the report of the Human Rights Network, the Mishra article in the New York Times, and an open letter to Indian Prime Minister Vajpayee from the National Association of Asian Indian Christians in the USA. I submit these documents into the RECORD.

[From the Human Rights Network, Sept./
Oct. 2000]

INDIA'S BRUTE FORCE IN PUNJAB, KASHMIR &
NORTHEASTERN STATES

Mr. Pankaj Mishra's article in the New York Times (9/16/2000) is refreshing in its boldness and articulate in its contents and style. It is also a wake up call for India's ruling regime under Prime Minister Atal Bihari Vajpayee. It underscores the fact that during the last two decades 'the central government . . . has used brute force in Punjab, the northeastern states, and now in Kashmir to suppress disaffected minorities.' He warns that "the preference for force over dialogue

could end up undermining India's fragile democracy." This is in complete contrast with the Prime Minister's sermons on peace and harmony, both at the United Nations Millennium Summit as well as in Washington, D.C. We would like to remind the Prime Minister that his claim of rosy picture in the so-called democratic and secular India masks the painful truth, and draw his attention to the following:

1. Tens of thousands of Sikh prisoners of conscience—men and women—are languishing in Indian jails without a charge or a fair trial. Many have been in illegal custody since 1984.

2. Most independent observers and human rights organizations have blamed the Government sponsored militant groups for the mass murder of the Sikhs in Kashmir (India) during President Clinton's visit in March, 2000. In the absence of an independent investigation by the UN Human Rights Commission, the Sikh nation holds the Indian Government, under Prime Minister Vajpayee, responsible for this barbarian act of mass murder of the Sikhs.

3. Indian security forces have murdered over 250,000 Sikhs since 1984, according to figures compiled by the Punjab State Magistracy and human rights organizations. These figures were published in *The Politics of Genocide*, by Inderjir Jaijee, a highly respected human rights advocate.

4. The Government of India is silent about the Interim Report on Enforced Disappearances, Arbitrary Executions and Secret Cremations in Punjab (August 1999), prepared under the leadership of an eminent human rights champion, Mr. Ram Narayan Kumar.

5. The Government is also silent about the kidnapping and murder of Mr. Jaswant Singh Khalra in police custody. Mr. Khalra was reported to have compiled a list of several thousand Sikhs, who were secretly cremated as "unidentified bodies," by Taran Taran (Punjab) police (US Department of State Report, January 1998). In a recent press release (9/7/00) Amnesty International has reported the arrest of Mr. R.S. Randhawa, a key eyewitness in the case of Mr. Khalra. The Amnesty has called upon the international community to intervene on behalf of Mr. Randhawa and against suppression of "evidence in this case."

6. In a letter to President Bill Clinton (9/12/00), seventeen Congressmen have pointed out that besides the mass murder of the Sikhs, "India has also killed more than 200,000 Christians in Nagaland since 1947, over 70,000 Kashmiri Muslims since 1988, and tens of thousands of Dalits, Assamese, Tamils, and others." In an open letter to Prime Minister Vajpayee (NYT 9/8/00), Asian Indian Christians have expressed their "deep concerns regarding the persecution of Christians in India by extremist groups. Priests, missionaries and church workers have been murdered, nuns and other women assaulted, churches and schools bombed and burned, cemeteries desecrated, Christian institutions harassed and intimidated." The US Commission on International Religious Freedom has recommended that India be closely monitored for "denial of religious freedom to her people."

7. Some high profiled and officially blessed emissaries have been negotiating the nature of "ransom" for the release of Mr. Raj Kumar, a renowned movie actor, who has been kidnapped by a notorious bandit Mr. Veerappan in South India. The "ransom" includes, inter alia, the demand by the bandit to release more than 100 of his associates from Indian jails. The officials agreed to comply with the "ransom" demands until the Supreme Court intervened to delay the official duplicity.

8. In complete contrast with the "ransom" negotiations with a bandit, the Government

has spent hundreds and thousands of dollars to provide unreliable and tainted evidence against young Sikhs, like Sardars Sukhminder Singh (Sukhi) and Ranjit Singh (Kuki)—who have been advocating the creation of an environment in Punjab where the aspirations of the Sikh nation can find full expression. India's intelligence agencies have hounded Sukhminder and Ranjit around the world and then dragged them to India's torture chambers through a decade-long and expensive extradition proceeding in the U.S.

9. Instead of offering an apology to the people of Punjab (for state terrorism and crime of genocide committed by India's paramilitary forces over the last two decades), and initiating the process of restitution, the Indian Government continues pouring salt on the wounds of the people of Punjab, through a policy of deception and distortion.

10. RSS, the parent organization of the ruling BJP, in a secret memorandum to its local units, has recently outlined a master plan for ethnic cleansing in India by wiping out all the minorities—through water and food poisoning, rape, orchestrated conflicts, riots, mass killing and disposal of bodies, etc.—whether they are Christians, Sikhs, Muslims, Dalits, Buddhists, and others. This "final solution," is reminiscent of Nazi genocide of the Jews and other minorities during WW II. It is no wonder that the Indian Government is silent on this very serious issue of national and international concern.

11. The 1985 agreement regarding the rehabilitation of the Sikh soldiers, who had protested, as a matter of deep faith and conscience, against the Indian Army's brutal attack on the Golden Temple Complex and almost forty other Sikh shrines, has not been honored. Many of these soldiers are living in poverty. The families of those, who have died during the attack are living under appalling conditions.

12. India's nuclear arsenal hovers over Punjab and escalating conflict between India and Pakistan over Kashmir endangers the very survival of Punjab.

13. The water from Punjab's rivers is still being diverted to other states, without the consent of Punjab and without a fair compensation to Punjab. Since the Punjabi farmers are forced to rely more and more on tubewells (a more expensive alternative), the water level in Punjab is sinking lower and lower, seriously endangering its agricultural economy. Punjab's farmers, who have ushered in the green revolution, are still being robbed of their hard earned income, through the Government's arbitrary procurement policy. Many of them are committing suicide because of increasing bankruptcies—the by-product of official arrogance and discrimination, and

14. Finally, the Sikh nation is still yearning for "freedom, justice, and peace," as enshrined in the Universal Declaration of Human Rights, and is aspiring for self-determination in accordance with Articles 1 and 55 of the UN Charter. We would like to realize this quest for self-determination within the framework of a regional commonwealth of free nations (like the European Union). This South Asian Commonwealth, consisting of India, Pakistan, Punjab, Kashmir, Nagaland, Bangladesh, Sri Lanka, the Tamil Homeland, Nepal, and others, can usher in a new era of freedom, justice and peace for all in the subcontinent. By the same token, it can liberate the entire region from this lethal armament race and constant fear of mutual annihilation through a nuclear holocaust. The resources, worth billions of dollars, saved through the elimination of the weapons of mass murder, can be utilized for meeting the basic needs of the people of South Asia—like education, housing, health, food, drinking water, social welfare, and employment.

[From the New York Times, Sept. 16, 2000]

YEARNING TO BE GREAT, INDIA LOSES ITS WAY

(By Pankaj Mishra)

NEW DELHI—In the last two years, the Indian government, dominated by the Hindu nationalist party, Bharatiya Janata, has tried to establish an exalted position in the world for India. It has conducted nuclear tests, lobbied hard for a permanent seat on the United Nations Security Council and played up the West's high demand for India's skilled information-technology workers. Atal Behari Vajpayee, the Indian prime minister, who met with President Clinton in Washington and addressed the Congress this week, hopes to achieve, among other things, an American endorsement of India's claim to superpower status.

For all these aspirations to 21st century greatness, however, the Hindu nationalists remain attached to a stern 19th-century idea of nationalism, which dilutes traditional social and cultural diversity and replaces it with one people, one culture and one language.

The intolerant climate can be seen in the growing incidents of violence against minorities, particularly Christian missionaries, the steady takeover of government research institutions by Hindu ideologues and the introduction of Hindu-oriented syllabuses in schools and universities.

In neighboring Pakistan, which was created as a homeland for Muslims in 1947, a similar attempt at building a monolithic national identity, through Islam, has produced disastrous results.

Since Islam has failed to bind the country's many ethnic and linguistic minorities, the job of holding the country together has fallen to the Pakistani army. It has tried to pacify the minorities through brutal, and sometimes counterproductive, methods. For instance, in 1971, the terrorized Bengali Muslim population of East Pakistan seceded to form, with India's assistance, the new nation of Bangladesh.

Despite that loss, the power of the Pakistani army grew and grew. Ruled by a military dictator, Pakistan became the over-eager host, in 1979, of the C.I.A.'s proxy war against the Soviet Union in Afghanistan. The arms received from the United States and Saudi Arabia found their way to the black market. Civil war broke out as competing Islamic outfits fought each other with their deadly new weapons. And a flourishing drug trade led to an estimated five million Pakistanis becoming heroin addicts.

In the last 20 years, drug smugglers, Islamic fundamentalists and army intelligence officers have come to dominate Pakistan's political life. Jihad, now exported to the disputed territory of Kashmir and the Central Asian republics, is the semi-official creed of many in the ruling elite. Pakistan is now even further away from being a multi-ethnic democracy.

India looks more stable, but its political culture has changed drastically in the last two decades. The central government as distrustful of federal autonomy as Pakistan's ruling elite, has used brute force in Punjab, the northeastern states, and now in Kashmir to suppress disaffected minorities.

In the process, India's awkward but worthy experiment with secular democracy has been replaced by a vague, but aggressive ideology of a unitary Hindu nationalism.

The new upper-caste Hindu middle class, created by India's freshly globalized economy, includes this nationalism's most fervent supporters. It greeted India's nuclear tests in 1998 euphorically.

But this middle class is also apolitical and a bit unsure of itself. Its preoccupations are best reflected in the revamped news media,

which now focus more on fashion designers and beauty queens than on the dark realities of a poor and violent country.

Popular patriotism brings temporary clarity to the confused self-image of the new middle class and helps veil some of the government's more questionable actions. For instance, in Kashmir, the government's failure to accommodate the aspirations of the mostly Muslim population led to a popular armed uprising against Indian rule.

The Hindu nationalists describe the uprising as an attack on the very idea of India and have diverted an enormous amount of national energy and resources—including some 400,000 soldiers—toward fighting the insurgents and their Pakistani supporters.

Since the invisible majority of India's billion-strong population—its destitute masses—couldn't care less about Kashmir, it is the affluent Hindu middle class that enforces the domestic consensus on the subject. It blames Pakistan for everything, ignoring the harshness of Indian rule and the near-total collapse of civil liberties in Kashmir.

Supporters of Hindu nationalism assume that a country with a strong military can absorb any amount of conflict and anomie within its borders. But the preference for force over dialogue could end up undermining India's fragile democracy and growing economy—just as the excessive reliance on military solutions to political problems has blighted Pakistan.

[From the New York Times, Sept. 8, 2000]

AN OPEN LETTER TO THE HON. ATAL BEHARI VAJPAYEE, PRIME MINISTER OF INDIA

The President, Officers, the Governing Council and the members of the National Association of Asian Indian Christians in the U.S.A. Inc. (NAAIC USA) are extremely pleased that you are here on an official visit to the U.S. and will be meeting with President Clinton and the high dignitaries of this country. We warmly welcome you and extend our best wishes to you for productive deliberations and consultations which we hope would strengthen the relationship between the people of India and the United States.

We are also taking this opportunity to express our deep concerns regarding the persecution of Christians in India by extremist groups. Priests, missionaries and church workers have been murdered, nuns and other women assaulted, churches and schools bombed and burned, cemeteries desecrated, and Christian institutions harassed and intimidated. There have been scores of incidents involving extortions, illegal and preventive detention, tortures, custodial deaths, anti-conversion laws that would make genuine conversions illegal. All these have created an atmosphere for Christians in many parts of India to live in fear; these are increasing unabated. This situation is antithetical to the declared ideals of the Republic of India and the provisions of its Constitution. Anti-Christian crusade and "hate campaigns" being waged through pamphlets, posters, and newspapers, lead to more violence. The pattern and intensity of these attacks and provocative comments by leaders close to the Government and the ruling Coalition show that attacks are organized efforts to intimidate a peace-loving minority community in India.

It is appalling to note that your Government is still in the denial mode by labeling these attacks as 'isolated incidents' and even as the work of some "foreign hands."

These attacks and the inability to control the growing violence of self-proclaimed Hindu nationalists against Christians have simply tarnished India's image as a secular nation. They have created a feeling of absence of rule of law in India and apprehen-

sion as to whether the Indian democracy is teetering towards a theocratic state. The U.S. Commission on International Religious Freedom has recommended that India be closely monitored for "denial of religious Freedom to her people." Even the U.S. Congressional Record cites a number of these attacks on Christians and depicts them as indicative of the depth of religious intolerance in India. These acts are atrocious also because of the well-acknowledged loyalty and commitment of Indian Christian community to the welfare of India demonstrated through participation in the independence struggle, in the established of schools and institutions of health care and patriotic sacrifices of thousands of Christians.

Your visit now provides a fitting opportunity for the Government of India to assure the world and the U.S. that India will continue its constitutional commitment as a secular state to protect the interests of all people, including the religious minorities, and uphold the constitutional freedom to "profess, practice and propagate" one's religious faith. We urge you to set forth the steps so far taken by the Government to bring the culprits, both individuals and organizations, to justice. It is imperative that you explain to the international community steps taken by the Government to protect the Christian community of India. We ask that the Government of India make every effort to put an end to the atrocities committed against Christians in the great land of India. May your leadership be strengthened through such decisive actions. We pray to God to help you in such efforts.

Respectfully,

The National Association of Asian Indian Christians in the USA, Inc., P.O. Box 279, Martinsville, NJ 08836.

PERSONAL EXPLANATION

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 25, 2000

Mr. NEY. Mr. Speaker, I submit the following statement for the CONGRESSIONAL RECORD. On September 24, 2000, I had personal family business and as a result missed rollcall vote numbers 541, 542, and 543. Please excuse my absence from this vote. If I were present, I would have voted "aye."

COMMODITY FUTURES MODERNIZATION ACT OF 2000

SPEECH OF

HON. THOMAS W. EWING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 19, 2000

Mr. EWING. Mr. Speaker, I am pleased to submit for the RECORD the following documents in support of H.R. 4541.

LETTERS OF SUPPORT RECEIVED

Ad Hoc Coalition of Commercial and Investment Banks, The Bond Market Association, Emerging Markets Traders Association, The Foreign Exchange Committee, Futures Industry Association, The Financial Services Roundtable, International Swaps and Derivatives Association, Securities Industry Association.

Morgan Stanley Dean Witter, Goldman, Sachs & Co., Merrill Lynch & Co., Inc.,

Citigroup Inc., The Chase Manhattan Bank, Credit Suisse First Boston, Inc.

Investment Company Institute, Enron Corp., Chicago Mercantile Exchange, Chicago Board of Trade, Securities Industry Association.

Energy Group; BP Amoco, Enron North America, Inc., Goldman, Sachs & Co., Koch Industries, Inc., Morgan Stanley Dean Witter, Phibro Inc., Sempra Energy Trading Corp.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET; STATEMENT OF ADMINISTRATION POLICY, OCTOBER 19, 2000

(This statement has been coordinated by OMB with the concerned agencies.)

H.R. 4541—COMMODITY FUTURES MODERNIZATION ACT OF 2000 (REP. EWING (R) ILLINOIS AND 3 CO-SPONSORS)

The Administration strongly supports the version of H.R. 4541, the Commodity Futures Modernization act of 2000, that the Administration understands will be considered on the House floor. This legislation would reauthorize the Commodity futures Trading Commission (CFIC) and modernize the Nation's legal and regulatory framework regarding over-the-counter (OTC) derivatives transactions and markets. In so doing, H.R. 4541 also would implement many of the unanimous recommendations regarding the treatment of OTC derivatives made by the President's Working Group on Financial Markets, which includes the Secretary of the treasury and the Chairmen of the Federal Reserve Board of Governors, the Securities and Exchange Commission, and the Commodity Futures Trading Commission.

It is important that this legislation be enacted this year because of the meaningful steps it would take in helping to: promote innovation; enhance the transparency and efficiency of derivative markets; maintain the competitiveness of U.S. businesses and markets; and, potentially, reduce systemic risk. H.R. 4541 would accomplish these goals while assuring adequate customer protection for small investors and protecting the integrity of the underlying securities and futures markets. A failure to modernize the Nation's framework for OTC derivatives during this legislative session would deprive American markets and businesses of these important benefits and could result in the movement of these markets to overseas locations with more updated regulatory regimes. The Administration looks forward to working with Members of Congress to improve certain aspects of the bill as it continues through the legislative process.

OCTOBER 18, 2000.

Hon. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC

Hon. RICHARD GEPHARDT, *Minority Leader, House of Representatives, Washington, DC*

DEAR SPEAKER HASTERT AND LEADER GEPHARDT: The undersigned organizations, representing the full range of the interested U.S. financial sector, strongly urge you and each of your colleagues to support "The Commodity Futures Modernization Act of 2000" (H.R. 4541) when it is considered by the House of Representatives this week.

This legislation would provide "legal certainty" that over-the-counter derivatives transactions will continue to be enforceable in accordance with their terms. Enhanced legal certainty for OTC derivatives will reduce systemic risk and the core legal certainty provisions of H.R. 4541 are based upon the unanimous recommendations of the Secretary of the Treasury, the Chairman of the

Board of Governors of the Federal Reserve System and the Chairmen of both the Securities and Exchange Commission and the Commodity Futures Trading Commission.

These core legal certainty provisions were approved by overwhelming and bipartisan majorities of the House Agriculture, Banking and Commerce Committees and they have the virtually unanimous support of the private sector.

Final Congressional approval of H.R. 4541 this year is urgently needed. In addition to providing legal certainty for OTC derivatives, H.R. 4541 will modernize the extremely outmoded Commodity Exchange Act. This will reduce systemic risk, promote financial innovation and enable the United States to retain its leadership role in the global financial markets.

Sincerely,

Ad Hoc Coalition of Commercial and Investment Banks, The Bond Market Association, Emerging Markets Traders Association, The Foreign Exchange Committee, Futures Industry Association, International Swaps and Derivatives Association, Securities Industry Association.

OCTOBER 18, 2000.

Hon. LARRY COMBEST,
Chairman, House Agriculture Committee, Longworth House Office Building, Washington, DC

Hon. TOM EWING,
Chairman, Agriculture Subcommittee on Risk Mgt., Rayburn House Office Building, Washington, DC.

DEAR CHAIRMEN COMBEST AND EWING: As members of the Ad Hoc Coalition of Commercial and Investment Banks, the undersigned firms strongly urge the House to pass "The Commodity Futures Modernization Act of 2000" (HR 4541) when it is considered on the floor. This legislation is critical to securing legal certainty for our financial markets and to fostering continued American innovation in the increasingly important realm of derivative financial products. The President's Working Group on Financial Markets has testified that securing legal certainty for financial derivatives is imperative to reduce system risk and we strongly agree.

Clearly, the legislation represents compromises in terms of the objectives of all interested parties. However, HR 4541 successfully achieves the most important core objectives needed for the markets to prevent the flight of our domestic financial derivatives business abroad. In addition, the legislation makes historic changes in the operation of our domestic futures exchanges that will enable them to offer new products and to effectively compete with foreign exchanges.

We view enactment of HR 4541 to be extremely important and believe that the failure of Congress to enact the bill will have very significant, adverse consequences for the markets and market participants in this country. We applaud your leadership throughout the development of HR 4541 and urge your colleagues to take favorable action before the end of this session.

Sincerely,

MORGAN STANLEY DEAN
WITTER
GOLDMAN, SACHS & CO.
MERRILL LYNCH & CO., INC.
CITIGROUP INC.
THE CHASE MANHATTAN
BANK
CREDIT SUISSE FIRST
BOSTON INC.

CHICAGO MERCANTILE EXCHANGE,
CHICAGO BOARD OF TRADE,
Chicago, IL, October 19, 2000.

DEAR REPRESENTATIVE: We urge you to pass H.R. 4541, the Commodity Futures Modernization Act of 2000, scheduled to come to the House floor today. Simply put, vote for this bill is a vote for U.S. markets. A vote against the bill is a vote for London and other foreign markets.

Foreign exchanges are offering products that U.S. futures exchanges can't. That is a recipe for competitive disaster for the U.S. futures industry in today's global economy. London's futures exchange will take the unprecedented step of trading single stock futures on U.S. companies in January 2001. London joins nine other jurisdictions that know the marketplace wants this product that was "temporarily" banned in the U.S. 18 years ago.

H.R. 4541 is a comprehensive package that addresses this prohibition on single stock futures and provides a streamlined regulatory structure endorsed by financial regulators, one that meets the demands of today's dynamic and changing markets. It also provides the legal certainty that will allow U.S. financial service firms to keep their swaps business in the U.S. rather than moving it off-shore.

Like any comprehensive legislation, this bill is not perfect from our perspective. However, it is critically important that H.R. 4541 be enacted into law this year to prevent our international competitors from having exclusive access to these new products.

Vote for U.S. investors and markets by supporting this historic legislation.

Sincerely,

CHICAGO BOARD OF TRADE,
CHICAGO MERCANTILE
EXCHANGE.

SULLIVAN & CROMWELL,
New York, NY, October 19, 2000

Hon. LARRY COMBEST,
Chairman, House Agriculture Committee, Longworth House Office Building, Washington, DC

Hon. TOM EWING,
Chairman, Agriculture Subcommittee, on Risk Mgt., Rayburn House Office Building, Washington, DC.

DEAR CHAIRMEN COMBEST AND EWING: On behalf of the entities listed below (collectively, the "Energy Group"), I write this letter to strongly urge enactment of H.R. 4541, the Commodity Futures Modernization Act of 2000. This legislation provides critical legal certainty for energy companies and allows them to provide risk management services to their clients and for themselves without risk that their transactions could later be found to violate the Commodity Exchange Act.

We applaud your leadership and the excellent work of your Committees and the other Committees of Congress in developing this legislation. Passage of the legislation will promote business and innovation in this important sector of the economy.

We appreciate your support of this initiative. We would be pleased to respond to any questions that any member might have.

Sincerely,

KENNETH M. RAISLER.

BP Amoco
Enron North America, Inc.
Goldman, Sachs & Co.
Koch Industries, Inc.
Morgan Stanley Dean Witter
Phibro Inc.
Sempra Energy Trading Corp.

ENRON CORP.,

Houston, TX, October 19, 2000.

Hon. LARRY COMBEST,
Chairman, House Agriculture Committee, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to urge enactment of H.R. 4541, the Commodity Futures Modernization Act of 2000, by this Congress. This important legislation provides critical legal certainty for a range of transactions that are a central part of Enron's risk management and commodity trading businesses. Enron is the largest trader of natural gas and electricity in the U.S. and we actively trade other commodities. To facilitate our commodity trading business we have developed EnronOnline which is the world's largest business-to-business marketplace with over \$130 billion in trades since November 1999.

We appreciate the fine work of the House Agriculture, Commerce, and Banking Committees and applaud the leadership of their Chairmen and Ranking Members. The Bill is the product of hard work and compromise and it would be unfortunate if this effort would have to wait until the next Congress to be rewarded.

Prompt adoption of H.R. 4541 will assure that Enron and others active in the commodity trading and risk management industry can continue to grow our businesses and provide innovative service to our customers without the risk and cost of legal uncertainty that now exists.

I appreciate your attention to this important matter and would be pleased to respond to any questions that you might have.

Sincerely,

KENNETH L. LAY,
Chairman.

SECURITIES INDUSTRY ASSOCIATION,
Washington, DC, October 18, 2000.

DEAR REPRESENTATIVE: I am writing on behalf of the Securities Industry Association ("SIA") to urge you to vote for H.R. 4541, the Commodity Futures Modernization Act of 2000. SIA believes that this legislation can ensure that American financial markets remain in the vanguard of innovation and investor protection. H.R. 4541 may be considered on the suspension calendar as early as today.

The legislation provides legal certainty for OTC derivatives. These provisions of the bill, which largely track the unanimous recommendations of the Report of the President's Working Group on Financial Markets, would finally remove the shadow of legal uncertainty that has threatened this vital sector of the U.S. capital markets for more than a decade. We can not stress too strongly the importance that we place on Congress enacting these provisions this year. We have consistently urged Congress, among other steps, to: Clarify the enforceability of derivatives transactions between eligible participants; exclude certain hybrid instruments from the CEA; remove restrictions on the clearance and settlement of OTC derivatives; clarify the instruments and transactions to which the Treasury Amendment applies; and exclude financial and certain non-agricultural commodities from the CEA.

While this legislation does not address every aspect of these issues, H.R. 4541 takes great strides in providing a legislative solution to those issues.

We also note that we have some lingering concerns with the bill's provisions that would eliminate legal prohibitions on single stock futures. SIA does not object to the bill on this basis and hopes that these issues can be resolved. With these concerns in mind, SIA strongly supports the overall goals of

the legislation and urges Congress to move the process forward.

In our view the most important issue for Congress to resolve is the legal uncertainty affecting OTC derivatives and hybrid instruments involving non-exempt securities. Resolution of that issue should not be postponed. The problems engendered by the CEA are real and are exacerbated by the increasing globalization of financial markets. Markets can migrate quickly, and once established in a new, more hospitable legal environment, may not return. Congress has the power to maintain this country's preeminent leadership position in the global financial markets by moving promptly to correct this long-standing problem.

Rarely is Congress presented with the opportunity to make a material contribution to the mitigation of systemic risk, but H.R. 4541 presents just such an opportunity. SIA is greatly encouraged by the House Committees' action on H.R. 4541, and their efforts to ensure passage of this key legislation this year. We ask that you build on this solid record of progress to ensure that United States capital markets remain competitive and on the cusp of innovation and urge you to vote for H.R. 4541. SIA stands ready to assist you in any way we can to facilitate enactment of legislation this year. We appreciate your consideration of our views.

Sincerely,

MARC E. LACKRITZ,
President.
STEVE JUDGE,
Senior Vice President,
Government Affairs.

INVESTMENT COMPANY INSTITUTE,
Washington, DC, September 19, 2000.

Hon. THOMAS W. EWING,
House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMAN EWING: The Investment Company Institute is writing to express our support for the version of H.R. 4541, the "Commodity Futures Modernization Act of 2000" scheduled for floor consideration today. This consensus bill reconciles the legislation reported by the Commerce, Banking and Agriculture Committees.

The Institute supports H.R. 4541 because of the Section 208 provisions in the legislation that apply important consumer and investor protections found in the Investment Company Act of 1940 to pools of single stock futures. Such language ensures that investors in pools of single stock futures will enjoy the same safeguards that have made mutual funds the investment choice for over 83 million Americans.

For this reason, we ask you to support this consensus legislation.

Sincerely,

MATTHEW P. FINK,
President.

HONORING JIM BARBIERI OF
INDIANA

HON. MARK E. SOUDER
OF INDIANA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, October 25, 2000

Mr. SOUDER. Mr. Speaker, Bluffton, Indiana is not a large city. It is a small city nestled in the bluffs above the Wabash River in Indiana. It has grown to serve the surrounding prime agricultural land of Wells County.

Bluffton is renowned throughout Indiana and the country for its extraordinary newspaper. It doesn't have lots of color pictures and fancy

charts. But it is stuffed with real news, in great detail, and topped by the world's most comprehensive headlines.

This is largely the product of Jim Barbieri, a throwback to earlier days of local journalism. An aggressive advocate, and when needed, critic of the local community, Jim is also active in State and National issues. But even in small-town Indiana, he also brings a world perspective.

His writing is thorough and fair. But it is also much more. Jim captures the room, the people in it, and the context of the debate. When one reads the Bluffton News-Banner it is though you had been at each event. Except that often, you learn a lot more from the article about the meeting then you learn at the meeting.

Recently Jim Barbieri celebrated 50 years at the Bluffton News-Banner. That itself is a tremendous and increasingly rare, commitment. Think of the historical perspective provided by such a paper compared to the transient nature of much news today.

I hope that journalism schools in America will use the example of Jim Barbieri to show that even in modern America you still can practice the type of community-based newspapers that anchored our Republic. I submit for the RECORD the following articles.

DEAR JIM: Congratulations on 50 years of journalism in Bluffton.

You are a living example of historic tradition of influential small-town newspaper editors. William Allen White in Emporia, Kansas, was an early Jim. Even the famous Niles Register, chronicle and journal of record of the early American Republic, was not as thorough as you.

I know of no one in the public arena who is not astonished that you can take such complete notes with so few errors. I expect to read something like this:

"Congressman Souder, riding in a black Lexus, was in Bluffton today for the third time this year. He was accompanied by Mary Honegger of Ossian, who has been a senior advisor to Souder since he first experienced his candidacy in 1994. The Honeggers have an animal clinic in Ossian that is well spoken of in the area. Souder was here to discuss trade with China. . ."

In other words, Jim, your stories in the Bluffton News-Banner not only include what I say, when and where, but a context and lots of local color. Your writing makes one "feel" the meeting, not just get the general facts.

And the headlines. Your headlines have more news than a half-hour TV news broadcast.

You are also a tireless advocate for Bluffton and Wells County. While being a local promoter, you also have a world vision. You understand that in education and commerce, the competition is not just Decatur and Huntington.

Hopefully, your tribute will help all of us to ask: Where will the next Jim Barbieri come from? Are we producing the young people with the curiosity and the commitment to debating truth?

Thanks, Jim, for your fundamental belief: By publicizing the words of the debate, people will choose the truth.

Sincerely,

MARK SOUDER,
U.S. Congressman, 4th District, Indiana.

To my Dad. Everyone in town knows you. Or they think they know you. They think you are the man with the pipe in your mouth, hurrying, on his way to cover five meetings on a Tuesday night. Or the man

with his byline all over the paper and the editorial opinions supporting most everything good in this community. Or they think you are the man with possibly the most trashed out car in town (unless they've seen mine) or the man with the ever-present camera at every accident scene or stage production or community awards ceremony. Or they think you are the man they see at all hours of the night, drinking coffee and reading the paper at Pak a Sak or Hardees. Or they see you after you've been up all night writing or hassling with the computers or out covering a fire, sacked out in your chair, seemingly dead to the world. And they think they know you and who you are. And most of them feel lucky to know who you are.

But I know who you really are.

You are the man who was home every night for supper at precisely 6:30 and acted delighted every time and even after the billionth time, Chuck and I would jump out from behind the door and "surprise" you. You are the man who let me hide behind him when I was afraid I'd fall into the press pit at the old brown Banner building.

You are the man who must have pulled Chuck and I "up" the hill at the State Park on a sled a hundred times over the years. And Chuck really should have been walking!

You are the man who made sure that for the "trouble" of stopping to see you at your messy little office on Market St. that I received at least 50 cents to go buy French fries or a Coke at the Snug or at Rexall's. And on a good Saturday, you didn't even mind when I'd stop by about eight or nine times. And if I had anyone hanging out with me, they'd strike it rich too. I wonder if the Snug and the Rexall's knew you were a major source of income for them for years.

You are the fastest two-fingered typist in town. And the only man I know, who knew how to type at all, before the advent of the computer age.

You are the man I never ever heard utter a single swear word until I was 15 and you had an ear operation and they wouldn't let you out of the hospital so you could go back to work. And then after that, even though you don't exactly swear like a trooper or anything, you must have decided I was old enough to hear them. Either that, or this is about when the country commissioners started to aggravate you. :) I'm not sure.

You are the man that wouldn't let me have a paper route, because "girls don't have paper routes," until I lost interest in it and then suddenly it seemed there were girls passing paper routes. And even though I find your former attitude "sexist" in this day and age, I'm still kind of amused by it. You thought I was pretty special. I guess. Too special for a paper route.

You are the man who carried me up the stairs to bed every night until I was nine (or possibly your back gave out) and then went back out to cover who knows what breaking story.

You are the man who cooked us a gourmet supper of hotdogs every Sunday evening so that Mom could have a break. Because Chuck really was a terrible child and Mom would just get sick of him—and she needed that break.

You are the man who was so delighted with the birth of his first grandchild, that even I, her mother got sick of reading about her in the paper. You are the man who is loathe to leave a basketball game or a football game or a baseball game in which his grandson is playing. And ever quick to point out exactly when and where he made the slightest contribution to the game. You are the man who passes up Colts tickets to watch his grandson sit on a bench for most of a Varsity game that he was lucky enough to dress for.

You are the man who has been right there supporting his granddaughter when things

have been tough for her. And ready to argue with me tooth and nail, if you didn't think I had the right idea on parenting her or Stephen. Not everyone will stand up to me, but you will.

You are a man who finds joy in singing bird clocks and dancing Santas and setting up and running your own railroad every Christmas and doesn't really understand people who don't share your passion for these things. (For instance, Mom.)

You are the man who took a "break", every day from your job (when most people would have already retired anyway) to stop and pack up about 48 newspapers and deliver half of Stephen's route, just so you could hang out with him and Jenni and Barkley and get to know them. And on the days when Stephen had a sports practice or a game you would pass the whole route, whether there was snow, sleet, rain or high winds or water on Elm Dr. up to your waist! And you let him keep all the Christmas tips to boot!

You are the man who Barkley, the paper Beagle, howls like crazy for even when just your car drives up in the driveway—she loves you so!

And you are a lot more.

So, even though I think this community should thank its lucky stars they have been fortunate enough to have you in their midst—and I think they should be honored that you have been working with them and for them for all these 50 years and they should be grateful that they've had the opportunity to "know" you—I count myself and my children far luckier than them even, because I know you as my Dad and the Grandpa to my kids. And I love you!!!

CINDIE.

DEAR JIM: Fourteen years ago, as a 27-year-old young man, you brought me under your wing and showed me what being a real newspaperman was all about. I thought I knew, having a bit of newspapering in my background. But I learned that I had a lot to learn.

You showed me what real dedication is. Time and time again in our first year, we worked long days together, making big changes and setting new directions. Our day typically began at 8 a.m. and finished at 10 p.m. Then after I, droopy-eyed, waved good night to you and walked out the door, I shook my head in amazement. Because I knew that you, once again, was just getting started. Why, you had a newspaper yet to write!

Indeed, you have written the News-Banner for 50 years. No act of journalism is more astonishing or worthy.

You have been courageous. Only a few people know the tough calls you have made with such high integrity. You always have done the best to treat every Wells County citizen the same. I learned that my first month when, coming back from a weekend trip, I slowed down a little late on S.R. 124. An observant officer noticed the infraction. I stopped by the office to tell you about the incident. You nodded, and I thought nothing more of it until you printed a major story the next day about all the speeding tickets issued over the weekend with mine being the lead example!

Your ability to walk down to the Post Office and back and pick up two front page stories is legendary. I used to wonder how you could do this, until I realized that you simply remember everything. My favorite example is when we were interviewing a thirty-something applicant for a computer job. I began the interview process. After deciding she would do the job well, I brought her to you for your approval. You seemed lost in thought as I described her background. Then

you suddenly looked up. "What's your name again?" you asked. She repeated her name. "Did you go to Norwell High School?" you asked. "Yes," she said. "Did you graduate in 1976?" you asked. "Yes," she said. "You did well in school, didn't you?" you asked. "Yes," she said. "That's right," you said. "I remember reading your name on the honor roll." True story, Jim, but only one of many.

Your career at the News-Banner is testimony to the amazing things a single person can accomplish in a life. From meeting with a half a dozen U.S. Presidents, to personally witnessing the transfer of power from the former Soviet Union to the new Russian Government to writing an editorial every weekday the News-Banner has published for five decades, to having the profound respect of every newspaperman who knows you, yours has been a reporter's career in full.

I doubt you could have hoped for anything more when you walked in the News-Banner for the first time 50 years ago.

Jim, I salute you.

GEORGE WITWER.

DEAR JIM: This has turned out to be one of the most difficult notes I've ever written.

I have come to the conclusion that this is because when one tries to address such a remarkable career, there are so many avenues to pursue, so many things that could be said, so many adjectives that fit, that one simply struggles with where to begin, let alone where it might take you.

At last, however, the occasion is made to address just one aspect: your deep love of and commitment to your profession and the company you came to adopt. This commitment is so deep and so complete that you can welcome someone into the fold who you know will make some changes to an operation and a newspaper that you've spent a lifetime building.

While most of things we've done have received your enthusiastic support, I am aware we've made changes you've not agreed with, as you've voiced those concerns. There are perhaps other changes that you've had concerns about of which you haven't spoken, but I'd be surprised.

At any rate, the point being of course, whether you've agreed or disagreed, you've been supportive of everything we've done and tried, and as everyone knows, your support is never just a token word, but always 100 percent of your considerable resources.

For your friendship and support, I will be forever grateful.

Sincerely,

MARK MILLER.

WRITTEN BY JIM BARBIERI FOR 50TH FAMILY BANQUET

50 years, they've gone too soon,
Looking back before man walked on the moon,

Addition, subtraction, multiplication, division,

We did them all without computer precision.
Radio or movies our entertainment decision
Or watch the snow on the early television.
The then-modern News-Banner, I must confess

Was cranking 'em out daily on a 1913 press.
From years of sway, both fore and aft,
Alas, it had developed a crooked shaft.

But day by day, we met the test,
Gathering news and ads and doing our best;
We set metal type and remelted lead,
Locked up the big chases and put it to bed.
The old press grunted at its daily chore,
And daily that shaft bent a little bit more,
Until one day we had a Chicago official
Look at the press and he gave a long whistle.
In nationwide travels where he'd been sent,

He had never met a press with its shaft so bent.

He said this calls for a repair first class;
He tried to bend it back but he fell on his knees.

But being a master of the press printing craft,

He wouldn't be defeated by a crooked shaft.
He said they had invented a wonderful machine

That would straighten any shaft that he'd ever seen

It cost us a bundle to do it up right;
To unbend our shaft took most of a night.
But we had to admit that it really felt great
To turn on a press with a shaft that was straight.

Alas, no one figured that day by day
The rest of the press had bent too in a gradual way.

The other parts had learned where to place their trust;

To a straightened out shaft they could not adjust.

As the press started up, straight for the first time in years,

There was a loud eruption as it broke all the gears.

The moral of this story is that we get shaped by our days;

Thus a 50-year reporter also gets set in his ways.

So that the way I work may be out of date,
But don't try to bend me to make me go straight.

Let me go on in my very old fashion,
Covering the news with an old time passion.
The style in which my career has been blest,
To you may be faulty, but I give it my best.
When God takes me home at the end of my years,

He'll not straighten me out and pop all my gears

He'll say "you, reporter, for the sins that you bring,

We'll take you like you are with a bent angelic wing;

For if we rejected all bent with no more care,
You'd never find in Heaven a crooked mayor.
And we all know that Heaven could not run well

Without a journalist to give them all hell.

So in the celestial press room we bid you to trod,

But don't ever misquote Peter or misspell God."

IN HIS OWN WORDS . . .

It seems like forever, and yet it seems like yesterday since that June day, a half-century ago, in 1950 when I began at the News-Banner.

Maybe that is appropriate because while the 50-year period has brought breathtaking changes, the task at hand daily remains remarkably unchanged.

Unlike a number of smarter people, I never formulated a life or career plan. My idea of planning ahead is getting out today's paper. Long range planning is tomorrow's paper.

Working in a small city appealed to me at the start here, partially because of the prior experience I had on the Chicago American. I had enjoyed that Chicago experience immensely and learned a lot, especially from an editor named Bill Becker, who didn't write for the paper but was a terrific critic and restyler of other reporting and writing. I remember that when he summoned me to his desk, it was bad news. He was going to rip apart what I had written and call me "Jimmy," neither of which I relished.

But one great thing about working in Chicago was that between about 10 p.m. and 4 a.m. daily in Chicago, about everything that ever happened in the history of the world happened three or four times. I had a good introduction on a great variety of stories.

But what appealed to me more about going to a small city upon graduation from DePauw University was the opportunity to do more things around the newspaper instead of one specialty.

Particularly I wanted to learn and do advertising and circulation too. While at DePauw, I had been editor of the school newspaper, and we had it printed at the Greencastle Banner, a daily newspaper in that small city of about 5,000 people. Realized then was that small dailies cover the day's news around the world like big urban newspapers do, even if not as intensively. The smaller daily papers also have a hometown touch unmatched in the big cities but are not left out of the big daily events. I also had helped with the production side of our school paper and learned to set headlines into metal type with a Ludlow machine.

Here in Bluffton I had excellent teachers in Roger Swaim and Orin Craven, both of whom were sticklers for doing things right. Although there are many improvements in newspapers today over 50 years ago, and a substantially greater quantity of both news/editorial and advertising copy now being handled—essential to handle—it is also true that copy flows into the paper today from a lot of sources without nearly the stringency that was given to copy Eugene McCord and I would write back in the period around and after 1950.

In those days, we didn't have the blessing of computers and the ability to tab in corrections, new information or second thoughts.

We did so with pencil on double-spaced copy, and sometimes this could make for messy looking sheets of copy—hen tracks, we called them.

Believe me, when my copy had too many of these, I would rush to retype so that Roger wouldn't see sloppy looking stuff heading to the Linotypes, and so that Orin wouldn't find any errors. They sure would let you know.

We had four Linotypes setting news copy and a Ludlow for ads and headlines display type. Most people at the News-Banner today have no idea of the long era in which we cast the lines of news type out of lead in a factory-type situation, assembling the type into page forms called chases and then the husky guys lifting the chases full of type onto the 1913 flatbed press. We had great craftsmen, led by Charlie Anderson when I started. Charlie's brother, Earl, made up our pages artfully. When President Kennedy was assassinated, Earl changed the front page and reversed the column rules or lines between columns that we used in those days. The effect was to print thick black lines between columns to carry the mourning effect. For the headline atop that story, we used wood type, putting it together letter by letter.

Anyhow, although Earl passed on long ago, just the other day, Earl Anderson's grandson, Brian Anderson, stopped to see me at the News-Banner, and I met Earl's great-granddaughter, Bethany.

Lee Mattax in time became our superintendent, and we had other great people in our production shop.

One such person is still alive and well. You know him as Joe Smekens, who came on board in the early 1960s as a Linotype operator.

Of the four Linotypes we had, three were usually on straight news and one on ads. That one was the most complex and Joe became very good on it.

But to give you an idea of the vast change, when we went to our new building and to photo composition in 1975, one of the two photo-setters we had would produce four times as much type as all four of our Linotypes put together. And today's laser-printing is much faster than the photose setters.

In the old days, when one of our Linotypes went on the blink, it was a real struggle to

get the paper out. You just couldn't make up for lost time like you can today.

Also, our 1913 flatbed press was much slower than the new offset rotary press we acquired in 1975 with the new building.

It used to take us the good part of two hours to run eight pages. Now we can run 14,000 per hour on 16 pages at a time or turn out 16 pages in a half-hour or less. We also can do color.

It's hard to start mentioning names without leaving out people, but Mary Coffield was a star for a lot of years and so was the late Marlene Holloway in our office. Kaye Ivins did a lot to get us into photography in a modern way. Of course, Joe Smekens has been a special hero for years, and Glen Werling is a real professional in this opinion and a high quality newspaperman.

After Roger Swaim was stricken with a heart attack in 1964, I had increasing duties in the management of the company and this led subsequently to becoming general manager and guiding the building project with the change of printing methods and more.

It is impossible to review all the countless stories worked on over the years, everything from heart-tugging human interest events to grizzly murders.

I've been able to cover and question or interview six U.S. Presidents, and I was in the Kremlin when the Soviet Union came to an end—seeing Gorbachev go out and Yeltsin take over. I was among the earliest Americans to meet with Boris Yeltsin. Thus, the small city field has not lacked for big coverage opportunities.

In the course of things, I worked alongside many fine persons in police and fire and EMS roles. We had our ups and downs in staff situations. I was reminded just the other day about an episode in the 1960s when police pursued a man they were seeking eastward on Ind. 124 into the heart of Bluffton and the northward on Ind. 1 at speeds up to 100 miles per hour and more. When the fleeing man raced into Ossian, the town was very busy with a golf dinner going on at Eve's Place in the Ossian downtown. This guy hit five cars parked along the street, and the impacts forced him to a stop.

One of those whose parked car had been hit was very upset at the wild driving and ran up to the suspect's auto, pulling open the driver seat door.

Up in his face came a gun, which he managed to push aside. Fortunately, Trooper Boomershine had been close behind and jumped into the back seat of the auto, reaching forward then in subduing the suspect.

The car had been stolen and was readily traced to a Huntington County location. Police going there found the owner shot to death.

Thus, we had a murder case along with the wild episode here. We had a questionable reporter at the time, and I sent him to Huntington County to get the story—in fact I sent a kid in our mailing department to drive him there so he would find it.

Soon the reporter came back to tell me he had no story because the sheriff was too busy to talk with him. I decided that when you send a reporter to a murder scene and he practically trips over the body on the way back to tell you there's no story, you have a problem. I sent him home and finished the murder coverage myself.

In my 50 years, I have missed only one day for health. That was in 1971 when I had an ear operation for which they sent me to Lutheran Hospital in Fort Wayne. The day after the operation I was recuperating there, and I saw out the window some police and ambulance vehicles heading into the emergency area. Soon I saw a couple of Wells County cars.

I went out into the hall and buzzed down in the elevator to the emergency area, where I

found out about an accident in Allen County injuring severely a Wells County resident. Someone down there saw me in my hospital robe and asked who I was. I said "I'm a patient on the fourth floor."

"You don't belong down here," I was told.

"I'll never do it again," I promised and I zoomed back to my room and called the story in to Roger Swaim. Thus, I counted that as a work day. The next day I was out of the hospital and back to the office.

In the modern era, I've been very thankful that young George Witwer, with the help of his Dad, George O. Witwer, and I were able to buy the New-Banner in 1986, keeping it under home ownership.

Since we had kept going, publishing despite the Palm Sunday Tornado of 1965 and the Great Blizzard of 1978, the News-Banner and predecessors have published every publishing day without failure since the Evening News was launched in 1892.

When we went into the new building with the new press and the switch to offset printing, we closed up in the old shop on West Market Street after getting out the Saturday paper on Sept. 5, 1975, and opened on Monday, Sept. 7, 1975 in the new operation and building.

No one on our staff had ever worked a single day in an operation like the new one. I likened it to jumping out of an airplane with a do-it-yourself parachute kit, but we made it.

We did have and do have a lot of good friends in the newspaper field—in our neighboring cities and elsewhere. Fred Isch, now the mayor of Decatur and doing a tremendous job, was and is a tremendous friend.

In the period since we bought the News-Banner, soon afterwards adding the Ossian Journal, we have made a lot more progress.

Greatly involved in a lot of this was Michelle Moore, who did a terrific job for us and is a wonderful friend. Tom Hullinger was a big factor in progress we made. Jim Kroemer has been a special friend in our progress.

We managed by 1997 to pay off about a million dollars in debt for the purchase of the News-Banner, the Ossian journal and the modern equipment we added—the switch into laser-printing and into pagination. Howard "Bub" Jones is another exceptional production artist.

Just three years ago, we took a huge step forward by gaining the services of Mark Miller, who started at Decatur in 1975 and is the kind of younger era, dynamic leader most needed for the present and future.

He is also an excellent person, and I feel a very fine journalist along with his super business ability.

I consider the steadfast determination by which we have kept our own press, rather than succumbing to the central printing trend so many other small dailies went to, plus the gaining of Mark Miller to head our company into the future as the biggest pluses for the company's future.

There are so many names unnamed in this review—great names also in our progress and in my life over the past half-century. There isn't space to give them all, and some here now might ask for raises.

Best to say, therefore, that a lot of thanks for a great half-century ride are owed to many, named and unnamed, and since I'm too young to retire, it's best to look ahead, not back.

The News-Banner and life in Wells County have been and are the best. I like to hope that when the time comes, I'll end up working on the Celestial New-Banner, which I imagine is a lot like the one here on earth.

JIM BARBIERI.