

WAIVING POINTS OF ORDER
AGAINST CONFERENCE REPORT
ON H.R. 2076, DEPARTMENTS OF
COMMERCE, JUSTICE, AND
STATE, THE JUDICIARY, AND RE-
LATED AGENCIES APPROPRIA-
TIONS ACT, 1996

SPEECH OF

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 6, 1995

Mrs. LOWEY. Mr. Speaker, in September 1994, the Congress passed a historic piece of legislation—the Violence Against Women Act [VAWA]. VAWA passed the House of Representatives with unanimous, bipartisan support. One of the major purposes for VAWA was to assure that the legal system treated domestic violence as the very serious crime we know it is.

A very important provision of the act is entitled “Equal Justice for Women in the Courts.” These provisions assure that the arbiters of justice in our Nation—judges and the courts—treat domestic violence in a serious and fair manner.

It has come to my attention that some Members of the Senate inserted a colloquy into the CONGRESSIONAL RECORD challenging the merit of the gender fairness task forces provided for under the Equal Justice for Women in the Courts provisions. I could not disagree more strongly.

Sections 40421–22 of the act allow each Federal judicial circuit to conduct studies of “the instances, if any, of gender bias * * * and to implement recommended reforms.” At this time, a majority of the Federal circuits are conducting gender fairness studies to ascertain whether women receive disparate treatment in the courts, and, if so, how best we can address this critical problem. Clearly, the judicial branch has the authority, and an obligation, to discover any bias in the dispensation of justice in our Nation. There is no place for unequal justice in the United States.

In addition, recently there have been a growing number of press reports—most notably about the O.J. Simpson case in California—about victims of domestic violence who availed themselves of the courts and received little or no protection from their batterers. The failure of the courts to respond to complaints of domestic violence puts the very lives of American women at risk. Further, the mere impression that courts do not take domestic violence seriously will cause some women who desperately need the protection of the legal system to not reach out for help.

Finally, I would like to note that the colloquy entered by the Senators on this issue has absolutely no binding effect on the Federal judicial circuits. The colloquy is merely the opinion of three Members of Congress; it is not law.

The Commerce-Justice-State appropriations bill contains no legislative language barring courts from establishing gender fairness studies. Nor does the conference report, the Senate Appropriations Committee report, or the House Appropriations Committee report. If the Congress intended to bar these very important studies, then we would have done so in the legislative or report language. The judicial circuits clearly have the right under this bill to establish the gender fairness task forces.

When the Congress passed the Violence Against Women Act, we made a promise to the people of this Nation that we would fight to end domestic violence. If the legal system, our first line of defense against his heinous crime, is not properly addressing this issue, then we cannot even begin the process of ending domestic violence. I strongly support any efforts by the judiciary to investigate gender bias in the courts, and to provide for recommendations to eradicate it.

HONORING THE RETIREMENT OF
WALTER B. KIRKWOOD

HON. JAMES A. LEACH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 12, 1995

Mr. LEACH. Mr. Speaker, today I would like to salute on the true professionals who has represented his employers' interests before Congress for almost four decades. At the end of this month, Walter B. Kirkwood will be retiring after 37 years of service in the banking industry. During this period, Walter has always conducted himself in a way that does credit to his employers and also reflects a broader concern for the public interest.

Many of us came to know Walter's work and appreciate his low-key style over the many years that represented Banc One Corp. of Columbus, OH, as vice president, government affairs, and earlier while he was governmental affairs representative for American Fletcher National Bank in Indianapolis prior to its acquisition by Bank One Corp. Most recently, Walter has been ably representing Bank One Indiana Corp., the successor to American Fletcher in Indianapolis.

Walter has made many contributions to the furtherance of constructive banking legislation. Among his most signal efforts was his active involvement during 1993–94 in the interstate banking and branching bill, while his boss, John B. McCoy, chairman of Banc One Corp., was serving as chairman of an industry task force on the legislation. Walter also worked successfully on key parts of the Federal Deposit Insurance Corporation Improvement Act of 1991 and several important provisions of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, to mention two other occasions when Walter's knowledge and ability came into play to produce outcomes which had the effect of modernizing America's financial services industry.

The fact that Walter combines the best attributes of a vigorous advocate representing his company's and his industry's interests, coupled with a keen concern for the public interest, is attested to by the fact that he has been widely honored by his peers. Walter served as chairman of the Government Relations Committee of the former Association of Bank Holding Companies as well as chairman of the Legislative Liaison Advisory Committee [LLAC] of the American Bankers Association, a position he currently holds.

On behalf of the Committee on Banking and Financial Services, I would like to thank Walter for his thoughtful advice over the years and look forward in keeping in touch.

UNICEF SAVES THE LIVES OF
CHILDREN

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 12, 1995

Mr. GILMAN. Mr. Speaker, on Monday, December 11, I was privileged to participate in a ceremony at the Lime Kiln Elementary School in my district in Rockland County to celebrate the 50th anniversary of the founding of UNICEF, at which I made the following remarks:

Today marks the 50th anniversary of the founding of UNICEF, one of the world's most effective organizations for saving and improving the lives of children who are at risk. At a time when the role of many international organizations, including the United Nations itself, is under scrutiny, there is no question about the role of UNICEF.

The years since its founding have seen great strides on behalf of children in health, nutrition, education and child rights. Thanks to UNICEF programs, two and a half million fewer children are dying annually from malnutrition and disease than died in 1990. The number of children who will be disabled, blinded, crippled or mentally retarded is down by 750,000.

Primary school enrollment has gone from 48 percent in 1960 to 77 percent this year, child immunization rates have gone from less than 10 percent in the late 1970's to 80 percent in most countries, and polio, once a scourge of children, is nearing eradication.

As we address the crises in hunger, health and education that beset the world's children, we are improving the circumstances for their parents, as well.

Our progress towards achieving democratic societies will be limited as long as a quarter of the world's population is unable to meet even its most basic human needs. Absolute poverty, which deprives people of their human rights, their dignity, and a voice in the affairs of their society, ultimately is a major obstacle to democracy.

That is why it is so important to recognize that America has vital interests abroad that are advanced by our foreign aid program.

It is in the interest of every American to help avoid and to redress human rights disasters such as we have seen in Somalia and Bosnia. It is clearly in our Nation's interest to see incomes rise in developing countries so that they can afford to buy our exports.

It is in the interest of every American to help countries become economically and politically stable so that we can avoid being drawn into armed conflicts.

UNICEF's programs are now saving millions of children's lives each year. Other powerful and tested strategies that reduce hunger and poverty—such as microenterprise—are also available and affordable to most developing countries.

Rather than merely reacting to situations after they become critical, we now have the opportunity to make effective social investments that can convert despair into hope and prevent future crises while building healthy, stable societies.

That is why UNICEF remains one of the most effective arguments in favor of foreign assistance, and I am pleased that, despite budgetary reductions in other areas, we have been able to provide for an increase in the U.S. contribution to this very important agency, so that it can continue the good work that it began 50 years ago today.

PERSONAL EXPLANATION

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 12, 1995

Mr. DeFAZIO. Mr. Speaker, on Tuesday, December 5, 1995, I was unavoidably absent for rollcall vote No. 837. Had I been present I would have voted "yea." This vote was on passage of H.R. 2684, the Senior Citizens Right to Work Act of 1995.

I am pleased to voice my support for H.R. 2684 which will allow our senior citizens to appropriately supplement their income during retirement. Social Security was intended to be supplemented in retirement by pension and asset income. However, under current law, individuals aged 65 to 69 years old with earnings above \$11,280 lose \$1 in Social Security benefits for every \$3 earned. Coupled with standard income taxes and other payroll taxes, this amounts to an overall tax rate of over 70 percent for many of the Nation's working elderly—more than double the rate paid by the wealthiest individuals in America.

I am also pleased that this legislation was brought up as a stand-alone bill, rather than as a provision in the Republicans' budget reconciliation package, which I strongly opposed. In fact, the budget reconciliation package will make this legislation even more vital for America's seniors because the budget package will increase out-of-pocket costs for average Social Security recipients. With their budgets further strained by these increased costs, seniors will need extra earnings just to keep up in the new Republican reality.

I urge prompt enactment of H.R. 2684. Our economy needs older workers. Older Americans deserve the opportunity to continue to enjoy meaningful employment. Last year, Congress eliminated the mandatory retirement age. This year, Congress must act to eliminate this discriminatory policy.

PERSONAL EXPLANATION

HON. TILLIE K. FOWLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 12, 1995

Mrs. FOWLER. Mr. Speaker, due to a death in the family, I was not present for rollcall votes Nos. 842, 843, and 844. Had I been present I would have voted "yes" on rollcall No. 842, "no" on rollcall No. 843, and "yes" on rollcall No. 844.

A TRIBUTE IN MEMORY OF
GUADALUPE MONTOYA

HON. CALVIN M. DOOLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 12, 1995

Mr. DOOLEY. Mr. Speaker, I ask my colleagues to join me today in remembering Guadalupe Montoya, a special woman from my district who died recently after years of contributing to her community.

Lupe came from a family that has roots in California dating back to the early 1800s. Al-

though born in Texas, Lupe's family returned to Southern California in the 1920s, where she spent most of her life. Despite a limited knowledge of English and only an eighth grade education, the example of community activism she set instilled in her children and her neighbors a desire to take part in the political process that endures to this day.

As a neighborhood campaigner for a young Edward Roybal—then a candidate for Los Angeles County Supervisor—Lupe demonstrated how issues important to her Hispanic community could be addressed through political activism.

By trade, Lupe was a seamstress and had several important clients from throughout the Los Angeles area. Along with her job, she managed to raise five children who have become active in their own communities.

When Lupe retired, she became an active senior volunteer, receiving numerous certificates of appreciation from the City of Los Angeles. In addition, she earned a commendation from the California Assembly for her volunteer work. And she was recognized by the United States Retired Volunteer Program and received a letter of congratulations from former Speaker of the House Thomas "Tip" O'Neill.

But perhaps the greatest testament to her legacy is the respect and admiration she commands among her friends and family, and the sense of community involvement she has left behind.

Again, I ask my colleagues to join me in paying tribute to the memory of Guadalupe Montoya.

RECOGNITION OF THE NEWPORT
FIRE DEPARTMENT'S 100TH AN-
NIVERSARY

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 12, 1995

Mr. KENNEDY of Rhode Island. Mr. Speaker, I rise today to recognize the Newport Fire Department—Station No. 5. Located in the heart of historic Newport, RI, Station 5 recently celebrated its Centennial anniversary with a weekend full of festivities.

Station 5 traces its roots back to 1794, when Company 5 was founded. During those days the Station was based on the corner of Spring and Mary Streets. Throughout the next 100 years, the Company would move two times before building its current home on West Marlborough Street. The West Marlborough Street location was dedicated on December 7, 1895, making it the oldest continually operated fire station in the city.

Included in the Centennial celebration was a dinner honoring the station and past members. During the celebration the same menu was served as the original dedication ceremony 100 years ago.

It is my pleasure to pay tribute today to the years of selfless, devoted service that Company 5 has given to the city of Newport.

YOU'RE A GOOD MAN, RAY MILAM

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 12, 1995

Mr. PAYNE of New Jersey. Mr. Speaker, I would like to bring to the attention of my colleagues a unique individual who was honored this past weekend with a surprise appreciation dinner. That person is Raymond Milam. This tribute focused on Mr. Milam's role in the education of the children of New Jersey, especially those children living in urban areas.

Ray Milam coordinates the professional services of the New Jersey School Boards Association's Technical Assistance Unit. The unit helps the 30 special needs school districts identified in a New Jersey Supreme Court decision on the State's school funding laws. In addition, the Technical Assistance Unit services the remaining 32 urban boards of education in 17 of the State's 21 counties. Ray Milam is an active advocate and service provider for parents, children, and urban educators. Mr. Miram is a graduate of Hampton University. He received his graduate degree from the University of Iowa. Throughout his professional career he has been a teacher, consultant, trainer, local school district administrator, and State Department of Education director.

During his tenure with the New Jersey School Boards Association, Mr. Milam has had the opportunity to impact on our urban school districts in many positive ways. Understanding the special needs of our urban young people, he has been able to develop training programs that have helped sensitize members of school boards, as well as school administrators and faculty. More importantly, he has used his position to recommend and introduce highly qualified professionals to urban school districts which were looking for candidates to fill important vacancies. He has been particularly successful in matching school boards with superintendents in many urban districts around the State.

I wish I had the opportunity to share personally with my colleagues the wonderful thoughts, remembrances and sentiments that filled the program and "Memories to Cherish" booklet. It was evident from these expressions of friendship—personal and professional, respect, gratitude, and love that Ray Milam has truly earned and deserves the recognition he received on Saturday, December 9, 1995. What was mentioned time and time again was the gentleness of a man who has been able to consistently and clearly focus on the problem at hand and develop a solution where all are able to rededicate themselves to working for the benefit of our school children. When we talk of the measure of the man; in the case of Mr. Raymond Milam it is his strong commitment to helping our children prepare for responsible and productive citizenry in the 21st century.

Mr. Speaker, I am sure my colleagues will join me as I congratulate Raymond Milam for an outstanding career in the field of education and wish him and his family: his wife Jean Stewart Milam; his children Pamela, Maria and Kenneth; and his grandson Damon all the best in the future.