

Mr. Speaker, it is my distinct pleasure to recognize the Clarion Area Jaycees on this milestone. Once again, I want to thank them for all of their devoted service and my best wishes for continued success.

REPUBLICANS SHOULD SUPPORT THE COMMUNITY SERVICE BLOCK GRANT

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. FRANK of Massachusetts. Mr. Speaker, I think it useful for me to share with my colleagues a brief but very pointed letter from Mark Sullivan, who is the head of the community action agency in the city of Fall River, Citizens, Inc. Mr. Sullivan is one of the outstanding leaders in the fight to improve the quality of life for people in the lower economic brackets, and he has been doing it long enough to have considerable perspective. Thus, he points out that the arguments in favor of the creation of the community action agency, and their subsequent inclusion in a community service block grant, grew from concern that we bypass bureaucracy and provide help directly to the people most in need. Citizens for Citizens is one of the organizations that exemplifies the success of this approach. And because the point Mr. Sullivan makes about the relevance of that experience to much of the rhetoric we are now hearing from my Republican colleagues, I ask that this letter be printed here.

CITIZENS FOR CITIZENS, INC.,
Fall River, MA, January 31, 1995.

DEAR BARNEY: I just finished watching a 30 year history of the War on Poverty on PBS and the irony of history repeating itself became crystal clear.

The basic concept of all the programs in the War on Poverty was the empowerment of local citizens to make decisions and help design economic programs that affect their lives.

Thirty years later, the new majority in Congress headed by Speaker of the House Gingrich, is talking about designing government so that citizens will be empowered to make economic decisions on the local level for policies that affect their lives.

It seems to be redundant to reinvent the wheel when there is a Community Service Block Grant which serves all of the purposes and meets all of the criteria as established by the new leadership; albeit, it deals with low-income people who need the economic empowerment the most.

I believe that Speaker Gingrich, with his background as a historian has a knowledge and appreciation of these programs for economic empowerment.

I welcome him as a spokesman for the need to extend and expand the Community Action Agency through increased funding for the Community Services Block Grant, and wish you would thank him for his generous forthcoming support.

COMMITTEE FUNDING RESOLUTION

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. PACKARD. Mr. Speaker, I want to commend Chairman THOMAS for his hard work and diligence in bringing the committee funding resolution to the floor today. This bill represents the new Republican Congress commitment to downsizing and accountability.

On the very first day of the 104th Congress Republicans voted to cut our own committee staffs by one-third. We proved to the American people that we are serious about keeping our commitment to giving them the smaller, more effective Government they voted for.

This bill before us today shows the American people that we are keeping our promise. Chairman THOMAS has introduced a funding request that reflects the change we voted for just a few short months ago. It represents the largest decrease in committee funding ever.

Spending the taxpayers' money wisely is important. Chairman THOMAS' bill not only downsizes Congress but introduces a new level of accountability. Changing the way committees pay for staff and supplies forces them to justify every penny they spend.

Congress must now publicly authorize all committee spending every 2 years and fund all staff salaries out of a single account. For the first time, committees will have to account for all of their operating expenses. Congress will no longer hide long distance phone call charges or paper costs in extraneous accounts. The American people will see just how we spend their money.

Mr. Speaker, as chairman of the Legislative Branch Subcommittee of Appropriations I am responsible for funding congressional operations. Mr. THOMAS' bill offers guidelines to my subcommittee—guidelines which I am proud to accept.

He and I both share a commitment to the American people who work hard for the tax dollars they have to send to Washington. The least we can do is spend those dollars wisely.

TERM LIMITS

HON. JAY DICKEY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. DICKEY. Mr. Speaker, I have been a supporter of term limits since my initial election to the House in 1992, and I continue to support term limits today. Due to provisions added to House Joint Resolution 2 during the February 28, 1995, House Judiciary Committee markup, I can no longer support this bill.

In its current form, House Joint Resolution 2 preempts State term limit laws, like amendment No. 73, passed by the voters of my home State of Arkansas. The amended bill also removes the lifetime cap for service in the House. Specifically, it would allow a Member to serve six terms, sit out one term, then serve six terms more. That is not real term limits.

LEGAL REFORM

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, March 15, 1995, into the CONGRESSIONAL RECORD.

LEGAL REFORM

The House last week approved three bills that would effect wide-ranging legal reforms in civil lawsuits. The measures respond to a public perception that the legal system has become burdened with excessive costs and long delays and that the growing number of lawsuits, particularly frivolous suits, are swamping the courts. These bills seek to curb lawsuit abuse which weakens the economy, eliminates jobs, and injures our global competitiveness.

I supported two of the three bills, albeit with some reservations. The civil justice system needs reform—and these bills are a first step in the reform process—but the bills considered in the House were poorly drafted and hastily considered and they overreach. My greatest concern is that their impact would be to tilt the courts in favor of large companies at the expense of individual plaintiffs. My expectation is these problems will be addressed during Senate consideration.

PRODUCT LIABILITY REFORM

This measure, which I supported, would for the first time create a uniform product liability law (covering state and federal actions) in three areas: punitive damages; joint and several liability; and fault-based liability for product sellers. First, the bill caps non-economic and punitive damages for all civil lawsuits. Punitive damages are awarded to punish negligence, rather than to compensate a victim, and non-economic damages are for things such as pain and suffering. Non-economic damages would be capped at \$250,000, and punitive damages would be capped at three times the claimant's award for monetary losses (such as lost wages and medical bills) or \$250,000—whichever is greater. Second, the bill restricts "joint and several liability" by allowing non-economic damages only up to the level of a defendant's responsibility. In other words, someone who is only 20% responsible would pay only 20% of the non-economic damages. Third, the bill prohibits product liability suits for injuries caused by products that are more than 15 years old, unless the product is expressly guaranteed for a longer period, or if the product causes a chronic illness that does not appear for more than 15 years (such as asbestos).

It is probably necessary to narrow the risk of manufacturers' and sellers' liability in certain cases involving defective products. Juries are sometimes confused and sometimes come in with awards that are neither reasonable nor justified by the evidence. In many cases, judges routinely reduce those jury awards drastically, but perhaps not in all cases. The restrictions on joint and several liability also make sense. The important link is between behavior and responsibility, and the bill limits a defendant's liability to the share of damages caused by his own actions.

Capping punitive damages, however, has to be approached with great care. This bill represents a federal encroachment on well established state authority and responsibility. Furthermore, high punitive damages serve to keep a manufacturer on his toes.

SECURITIES LITIGATION REFORM

This bill, which I supported, would limit so-called "strike" lawsuits—class action lawsuits filed by stockholders against companies or stockbrokers for having misrepresented the company's economic position when the class of stockholders decided to buy the stock. Further, the bill limits security fraud suits by individual stockholders for similar claims of misrepresentation.

The problem of frivolous class action lawsuits against a company as soon as its stock drops is a real one. Because their stock prices are so volatile, high technology companies are especially vulnerable. Even so, we do not want to weaken the deterrent to financial fraud. To this end, the House, with my support, approved amendments to promote public disclosure of stock information; narrow exceptions to defendant liability; and define the responsibilities of accountants in reporting cases of fraud to federal regulators.

CIVIL LITIGATION REFORM

This bill, would make several significant changes in the federal civil justice system. First, it would require losing parties in federal civil cases to pay the attorneys' fees of the winning party under certain circumstances. Second, the bill would restrict the admission of scientific evidence in federal court. Third, the measure would make sanctions against lawyers who file frivolous lawsuits mandatory, rather than leaving the decision to the judge.

I opposed the bill primarily because of its "loser pays" provisions. A key principle of the American system is accessible justice and I do not want to pass laws which prohibit or deter an individual from a meritorious vet risky lawsuit for fear that the penalty would be financial ruin. Everybody wants to curb frivolous lawsuits—and I supported an amendment that would give a defendant the opportunity to seek dismissal of a frivolous suit.

The bill, in contrast, would place average Americans at a disadvantage in disputes with large corporations, for whom the risk of paying opposing attorneys is simply the cost of doing business. A middle-income plaintiff could be forced to accept a small settlement unless he or she is willing to assume the risk of being financially ruined by the payment of the fees of the other side's attorneys, who may be expensive corporate lawyers.

CONCLUSION

In general, I think the entire legal reform package deserves a searching examination in the Senate. I have been impressed throughout the debate that the House has focused on a tide of anecdotes purporting to show the American legal system as out of control, swamped with frivolous product liability and personal damage suits. I am less sure that the evidence supports the lesson of those anecdotes.

The balance that must be struck is to protect the people's right to sue while at the same time reducing frivolous and expensive lawsuits. That is not an easy balance to strike and the details reaching that balance become very complicated. My hope is that the Senate will improve upon the House-passed bills. I am inclined to think that they are simply too raw to be enacted in their present form.

IN HONOR OF THE GIRL FRIENDS, INC.

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. CLYBURN. Mr. Speaker, I would like to take this opportunity to bring to the attention of my distinguished colleagues the fine record of one of the oldest civic/social organizations of African-American women in these United States—the Girl Friends, Inc. Founded in 1972, its primary focus was to promote friendship and to foster goodwill. Under the legal guidance of the Honorable Thurgood Marshall, the organization was incorporated in 1938.

The Girl Friends, Inc. is a national organization comprised of 1,250 socially and professionally prominent women, including national political figures, Federal judges, medical doctors, college presidents, accountants, lawyers, and teachers.

Presently, there are 40 chapters located in major American cities, representing leaders and spheres of influence with an ongoing commitment to contribute to civic activities that enhance the quality of community life.

The organization has given major financial assistance to community organizations, including the United Negro College Fund, the NAACP legal defense fund, the children's defense fund, and the NAACP.

Though its local chapters, it gives annually to local groups such as the heart fund, the sickle cell fund, the Cancer Research Foundation, the Boys and Girls Club of America, and local theatre groups for children.

I would like to congratulate the national president of the Girl Friends, Inc., Mrs. Virginia Scott Speller of Houston, TX, for giving leadership during these days of extending a helping hand to those in our communities who are in need, especially students who want to complete a college education and senior citizens who need care and attention.

I also salute the more than 1,200 members who take time from their professional duties to give of themselves to help make our country a responsive and caring Nation.

Mr. Speaker, I commend the national officers and all of the 40 chapters of the Girl Friends, Inc. for their 68 years of service to these United States.

TRIBUTE TO THE MEMORY OF BOBBY CAPÓ

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. SERRANO. Mr. Speaker, tomorrow, March 16, the New York Office of the Puerto Rico Federal Affairs Administration will unveil a pictorial stamp cancellation to honor a giant of romantic music and borinquen patriotism, Bobby Capó. I rise to pay tribute to the memory of this extraordinary and beloved individual.

Felix Manuel Rodríguez "Bobby" Capó was born in Coamo, Puerto Rico in 1922. Having moved to New York as a young man in the 1930s, Bobby Capó encountered for the first time a land of cold winters and often chilly

race relations. He set about very early in life to overcome these features with the warmth of his music and personality.

In the course of his 68 years Bobby Capó composed over 2,000 songs and released more than 50 record albums. But these figures do not do justice to the influence of this superb artist. Possessing a lyrical tenor, perfect pitch and supreme grace, Bobby Capó was a dynamic showman whose tours and television appearances in New York, Puerto Rico and the rest of the United States and Latin America were vital to the popularization of the romantic style. His great ballads "Piel Canela," "Juguete" and "Sin Fe," sung by hundreds of artists around the world, are timeless classics that will forever convey the mystery of romantic love.

Mr. Speaker, as the first Puerto Rican to direct his own television shows and appear in Mexican films, Bobby Capó was a theatrical phenomenon as well. But he was much more than an entertainer. A man for all seasons, in his later years he became increasingly involved in public affairs. He served as Director of the New York Office of the Puerto Rico Federal Affairs Administration, he founded and was the first president of the Puerto Rico Guild of Artists, and in numerous capacities promoted a better understanding of Puerto Rican and Hispanic culture. Moreover, in many personal acts of advocacy and political action he proved himself a dedicated and energetic defender of the less fortunate in our society.

Mr. Speaker, I was extremely privileged to have known Bobby Capó, to have had him as an inspiration and a mentor. His romanticism, his devotion to the island of his birth, and his sheer love of life are elements of his spirit which have struck a deep chord with me and with many thousands of others. I remain a devoted fan of his enduring music and memory, both of which will live on forever in the hearts of his admirers. I ask my colleagues to join me in appreciation of the life and legacy of this wonderful man.

LED ASTRAY BY THE POVERTY "EXPERTS"

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. CRANE. Mr. Speaker, Mr. Walter Williams, a professor of economics at George Mason University, has formulated a decorous and forthright theory which reveals the malignant problems caused by American dependence on the welfare state.

Since the 1960's, Federal welfare policies have only resulted in a debilitating reliance by American citizens on a Federal Government not created to function in this area. Unfortunately, this institution—the welfare state—has become a permanent and detrimental fixture in our society.

I commend to the attention of my colleagues the following article written by Mr. Williams entitled, "Led astray by the poverty 'experts'." May we all learn from his insights and wisdom as the 104th Congress embarks on the reformation of the outdated welfare policies plaguing our Nation.