

Shalikashvili, Chairman of the Joint Chiefs of Staff, would pay a reciprocal visit to Beijing.

Visits by American and Chinese warships to each other's ports will also resume, Mr. Nye said.●

CHARITABLE GIVING PROTECTION ACT

● Mr. D'AMATO. Mr. President, I am pleased to be a cosponsor of S. 978, the Charitable Giving Protection Act of 1995, introduced by Senators HUTCHISON and DODD.

Charitable organizations serve a vital and unique role in meeting the needs of the American people. Religious, educational, benevolent, fraternal, and other charitable organizations depend on donations to fund their operations. Congress must see to it that charitable giving is encouraged to ensure that these critical donations continue.

Charitable gift annuities enable individuals to make a donation to charity and receive lifetime interest payments based on the donation's return. The SEC has determined that these types of donations do not involve an investment strategy and thus are not securities that would otherwise have to be registered.

Recently, however, a lawsuit has put into question whether charitable income funds need to be registered under the Federal securities laws. The threat of litigation would deter individuals from making this type of donation and prevent charitable organizations from raising funds in this manner. S. 978 will allow charitable institutions to continue raising vital funds through special investments and charitable gift annuities—without the threat of litigation.

The Charitable Giving Protection Act clarifies that the charitable income funds are not required to register under the Federal securities laws. This legislation would codify the long-standing SEC practice of exempting charitable organizations from registration requirements.

This legislation maintains critical investor protection provisions of the Federal securities laws. It does not exclude charitable organizations from the antifraud or disclosure provisions of the Federal securities laws. These important investor provisions must be retained to protect individuals who make the donations to charitable organizations.

This legislation provides the appropriate relief to charities so they can raise and manage their money without compromising investor protections. The chief watchdog of the securities markets, the SEC, also supports the goals of this legislation. During House Commerce Committee hearings on a companion bill, the SEC's Director of the Division of Investment Management, Barry Barbash, testified: "the Commission believes that the Philanthropy Protection Act provides an appropriate level of investor protection

while not encumbering charitable organizations with the burdens of full compliance with the securities laws."

I am pleased to be a cosponsor of S. 978. Last night, the House companion bills, H.R. 2145, the Philanthropy Protection Act and H.R. 2525, the Charitable Gift Annuity Antitrust Relief Act of 1995 passed by a unanimous vote of the House of Representatives. I urge the Senate to act quickly on this important legislation.●

HONORING SHIM KANAZAWA, KINJI KANAZAWA, AND SPARK M. MATSUNAGA

● Mr. INOUE. Mr. President, I would like to honor three extraordinary gifted individuals who share many things in common: love of country and an undying commitment to serve their fellow citizens. Shim and Kinji Kanazawa and our beloved colleague, the late Spark M. Matsunaga are to be commended for the time, effort and many years of outstanding service that they have given to improving the quality of life for the people of Hawaii. They are indeed role models that many can only hope to emulate.

The eldest of 11 children of Torazo and Saki Rusaki, Shimeiji, or Shim as she is more familiarly known, was born in Kamuela, HI. She attended schools in Waimea, Hilo, and Boston.

At the time when World War II broke out, Shim assisted the Swedish Vice-Consulate, which had the responsibility for protecting the interests of resident Japanese aliens. She advised the Vice-Consulate to provide a variety of services including assistance with business and personal affairs, reuniting internees with their families, arranging for transportation, and escorting many to the faraway camps. The American Red Cross later awarded Shim a special citation for the care and compassion she displayed to those she assisted.

In 1946, while working for the Veterans Administration, Shim met her husband, Kinji. The following year they were married and immediately moved to Boston where Kinji attended law school and Shim studied at the Chamberlain School of Design and Retailing. Upon completion of their studies, they returned to Honolulu and Shim continued her work for the betterment of the community.

Shim served as an active volunteer member of many organizations including the Lawyers Wives Club, for which she served as president, and the Commission on Children and Youth. Shim was the first nisei woman to serve on the board of Aloha United Way, and the first woman director and chair to serve on the board of Kuakini Medical Center. She was appointed by former Gov. William Quinn to chair the Life and Law Committee to study laws affecting family life and youth, which spearheaded the creation of the Family Court. Shim actively participated on the Elder Affairs Policy Advisory Board and chaired the Commission on

Aging. She was also the driving force in the planning of Hawaii's participation in the White House Conference on Aging, serving as chair in 1981 and 1995, and for more than 10 years, Shim has been an active board member of the Moiliili Community Center.

In 1990, on behalf of the Moiliili Hongwanji Mission, Shim applied for a grant from the National Federation of Interfaith Volunteer Caregiver and founded Project Dana, which developed into a very successful program of volunteer caregiving for the frail elderly. Today, she serves on the Robert Wood Johnson Faith in Action National Advisory Committee and is a trustee/treasurer of the National Federation of Interfaith Volunteer Caregivers.

Shim's extraordinary efforts to care for and serve the community has earned her many honors. On May 13, 1990, the Board of Regents of the University of Hawaii at Manoa bestowed upon her the honorary degree of Humane Letters for her deep concern and humanitarian efforts to improve the quality of life for all people. On April 12, 1995, our State Senate honored Shim for her devoted and exemplary service to the people of Hawaii, and on May 11, 1995, the Public Schools Foundation honored her for her more than 20 years of continuous service as a full time executive volunteer at the local and national level.

Kinji Kanazawa is the son of Sakijiro and Haru Kanazawa. He was born and raised in Moiliili with his twin brother Kanemi and five older sisters. Kinji attended Kuhio Elementary, Washington Intermediate, McKinley High School, and the University of Hawaii at Manoa. Kinji worked in real estate, and during World War II, for the Federal War Housing Administration which built about 1,000 temporary homes in Manoa Valley. After the war, he attended Boston University Law School.

Kinji headed the State Real Estate Commission, taught at the University of Hawaii, and operated his own real estate school where he trained over 6,000 agents. On April 3, 1995, he was duly admitted as an Attorney and Counselor of the Supreme Court of the United States of America.

Kinji is credited with saving the Moiliili Community Center during World War II, when most Japanese-owned land was confiscated by the Government under martial law. The military governor refused to allow the Moiliili Community Association to acquire the Japanese Language School unless the Japanese Board of Directors was replaced by caucasians. Kinji persuaded several caucasian community leaders to become board members. As soon as the emergency was over, they willingly resigned to enable the former Moiliili leaders to become board members. Kinji and I recently co-chaired the Capitol Fund Drive to construct the Weinberg Building which is now the Thrift Shop. He has continuously led the board of trustees of the Moiliili Community Center for the past 50

years. Kinji has also served the Moiliili Hongwanji Mission as the president of the temple organization for over 22 years.

The late Spark M. Matsunaga was born on October 8, 1916, on the Island of Kauai, to Kingoro and Chiyono Matsunaga, who had emigrated from Japan to work on a sugar plantation. He worked at many jobs through high school and graduated with honors from the University of Hawaii, where he received a degree in education.

At the time World War II broke out, Spark was a second lieutenant in the U.S. Army. When President Roosevelt permitted the formation of all-Japanese units, Spark became a member of the 100th Infantry Battalion, which later became a part of the 442nd Regimental Combat Team. Whatever assignments Spark received, he performed with skill and bravery. He fought in the historic battles of Monte Cassino, Anzio and the liberation of Rome. He was wounded twice and earned the Bronze Star Medal for heroism.

Using the GI bill, Spark went to Harvard Law School and received his law degree. He went to work as an assistant prosecuting attorney in Honolulu and was elected to the Territorial House of Representatives from 1954 to 1959, and serving as majority leader in 1959.

In 1962, Spark came to Washington and served in the U.S. House of Representatives for seven terms. In 1976, he was elected to the U.S. Senate. He served with much distinction as a member of the Finance Committee, where he was a ranking member, and chairman of the Subcommittee on Taxation and Debt Management; on the Labor and Human Resources Committee, and chairman of its Subcommittee on Aging; and on the Veterans' Affairs Committee.

Spark will always be respected for his outstanding legislative record that fulfilled his visions of peace, international cooperation, and assistance to those in need. He had always wanted to be remembered as a friend of peace-makers. He never forgot the horrors of war. He was determined that our Nation would devote itself to the pursuit of peace. In 1984, Spark's 22 years of lobbying efforts resulted in the establishment of the U.S. Institute for Peace.

As a ranking member of the Veterans' Affairs Committee, Spark's imprint could be seen on virtually every major bill that passed the committee. In 1987, he engaged in efforts to establish a veterans medical center in Hawaii, to care for the aging and ailing military veterans. At that time, I committed myself to carrying on Spark's endeavor and ask that the veterans hospital would forever bear his name, in remembrance of his contributions on behalf of our Nation's veterans. I am pleased to report today, the Congress has appropriated approximately one-third of the total funds to establish the Spark M. Matsunaga Department of

Veterans Affairs Medical Center, and I remain hopeful that Spark's endeavor will someday become a reality.

Spark was indeed a voice of compassion for the homeless, as well as the physically and mentally ill. When it may have been unpopular to do so, he waged a campaign for justice for Americans of Japanese ancestry who were interned during World War II. Spark went from office to office seeking co-sponsors for a measure authorizing an apology and monetary reparations for Japanese-Americans whose patriotism was questioned. This measure was enacted in 1988.

I will always remember Spark for these achievements, his friendly personality and love of Japanese poetry.

Shim and Kinji Kanazawa's and the late Spark M. Matsunaga's extraordinary lifelong contributions to the State of Hawaii and to our Nation will not be forgotten.●

IMMIGRATION: WHERE TO GO FROM HERE

● Mr. ABRAHAM. Mr. President, I would like to bring to the attention of my Senate colleagues a piece that appeared in the November 27 edition of the Wall Street Journal entitled "Immigration: Where to Go From Here?" In this piece, the Journal asked a panel of opinion-makers—ranging from Jack Kemp to former New York Mayor Edward Koch to our colleague BEN NIGHORSE CAMPBELL—about the impact of legal immigration on America's society and economy. I think that the views expressed in this article will be helpful to my colleagues as we debate immigration reform in the coming months. I ask that the article be printed in the RECORD.

The article follows:

[From the Wall Street Journal, Nov. 27, 1995]

IMMIGRATION: WHERE TO GO FROM HERE

Jack Kemp is a co-director of Empower America, a conservative advocacy organization.

Some immigration policies badly need reform, especially those having to do with illegal immigration. Under the 1986 immigration reform act, for example, it's illegal to hire an undocumented alien, and hard and costly even to hire a legal one. By contrast, the law allows, and in many cases legally mandates, payment of welfare, medical, education and other benefits.

A better, more American, policy would be to make it easy for immigrants to work—for example, with a generous guest worker program and low-cost i.d. for participants. We can design a policy that would be just and would create better incentives, but would make it harder to get welfare payments. For instance, the U.S. could more readily accept immigrants who take a pledge not to go on welfare (a pledge many have already taken).

With such policies, we not only can "afford" to keep the golden door open; we will attract the same type of dynamic men and women who historically helped build this immigrant nation. Let's agree to reform the welfare state and not allow America to be turned into a police state.

Edward I. Koch is a former mayor of New York City.

The U.S. continues to benefit from the influx of legal immigrants. Just to take a few examples: In Silicon Valley, one out of every three engineers and microchip designers is foreign born; in Miami, Cuban immigrants have revitalized a once decaying city; and in New York, foreign nationals serve as CEOs of banking institutions, as senior managers of international companies, and as investors and entrepreneurs.

What the restrictionist legislative proposals seem to ignore is the critical distinction between legal and illegal immigration. The number of legal immigrants we admit each year is limited and manageable. Fewer than 25,000 immigrants received labor certifications (the prerequisite for obtaining permanent resident status based on job skills) last year.

Under existing law, legal immigrants must establish when coming here that they have sufficient assets to sustain themselves or that they have a job with a salary that will ensure their not becoming dependent on welfare. Lacking these two, they are required to provide an affidavit from a sponsor, usually a family member, who will be legally responsible to make sure the immigrant and his family will never become public charges. These commitments should be made enforceable.

I do not believe that the U.S. would be the world's only superpower if not for the super energy provided by the annual influx of legal immigrants. I don't want to change that.

Stephen H. Legomsky is a professor of international and comparative law at Washington University School of Law, St. Louis.

The U.S. has two venerable traditions. One is to admit immigrants; the other is to complain that today's immigrants are not of the same caliber as yesterday's. In actuality, today's immigrants are just as resourceful as their predecessors, and they are more vital to American industry and to the American consumer than ever before. Imported laborers used to be valued mainly for their muscle. In today's high-tech global economy, brainpower has become the more valuable resource. American companies and universities compete with their foreign counterparts for the world's greatest minds. Why donate this talent to our global competitors when we can use it ourselves?

Yes, immigrants take jobs. But they also create jobs by consuming goods and services, lending their expertise to newly vibrant American export companies, starting businesses and revitalizing cities.

Yes, some immigrants receive welfare. But immigrants also pay taxes—income, sales, property, gasoline and Social Security. For federal, state and local governments combined, immigrants actually generate a net fiscal surplus.

Of course, immigration does far more than this. It reunites husbands with wives and parents with children. It enriches us culturally. It is, ultimately, the quintessential American value.

Peter Brimelow is the author of "Alien Nation: Common Sense About America's Immigration Disaster" (Random House).

Immigration policy is broke and needs fixing. The perverse selectivity of the 1965 Immigration Act has resulted in an inflow vastly larger and more unskilled than promised. Moreover, in the lull since the 1890-1920 immigration wave, the American welfare state was invented. Its interaction with mass immigration is paradoxical. At the turn of the century, 40% of all immigrants went home, basically because they failed in the work force. Now immigrants are significantly into welfare (9.1% vs. 7.4% for native-born Americans, maybe 5% for native-born whites). And net immigration is some 90%.