

exposed to so nutty a risk? If the boss wants to cuddle up to a carpet, let him buy it on his own dime, not with money from the plan. I don't care if the plan gets lucky and the carpet's value flies. It's an unconscionable "investment" to force on workers of modest means.

Ban employers from putting more than 10 percent of plan money into the company's own securities or real estate. That's already the rule for traditional pension plans. A bill just proposed by Sen. Barbara Boxer, a California Democrat, would give the same protection to a 401(k) if the plan lets the boss make all the investment decisions.

Boxer's opponents are quick to say that the pension law shouldn't be rewritten just because of a smelly plan like Color Tile's. But there's a lot more rot in this barrel than anyone knows. Doctors and dentists, for example, may use a 401(k) to buy the building they practice in. That's fine for a well-to-do doc who also has other investments. But it's contemptuous of the nurse whose small savings are now tied up in one piece of real estate. Rick Shoff, president of NRP Financial Group in Jamison, Pa., and a recordkeeper for 401(k)s, advises employer-directed plans to put one or two employees on the investment committee. They deserve a say in where their money goes.

If I were czar, I'd stop plans from investing more than 10 percent of their assets in any real-estate or nonpublic business venture. These deals are illiquid and their value uncertain, says Normal Stein, professor of law at the University of Alabama. When you get a payout from such a plan, you may or may not receive a fair share, depending on how accurate the appraisal was. On rare occasions, you can't even get your share in cash. The plan might hand you a piece of paper attesting that part of the property is yours—and a fat lot of good that will do you if you want to sell.

Require a warning label on plans that let workers invest in company shares. The shares themselves may be low-risk, but it's high-risk to overinvest in them. In general, you should put no more than 10 percent of your money there, even when business is good. If employers use stock to match employee contributions, the employees should be free to swap into something else.

Offer an investment alternative to employees who hate their 401(k)s. You'd lose your company match, but who cares, if it's buying the equivalent of Carter Hawley shares? At present, you can switch to a tax-deferred Individual Retirement Account, but only if (1) no funds went toward 401(k)s this year, for you or your spouse, and (2) neither has a traditional pension plan. Employees with modest incomes can take an IRA write-off even if they're in a plan. But that's worth only \$2,000 a year. Why not pressure plans to improve by creating real competition? Let unhappy workers put the same dollars into some sort of independent 401(k).

Under current law, those responsible for a 401(k) are supposed to act prudently and invest for the good solely of the participants. "But noncompliance is an option for small employers," says attorney Michael Gordon of Washington, D.C. "Nobody thinks the government's going to knock on their door and enforce the law."

Skunks like that might not pay attention to reform (complain to the Labor Department at 202-219-8776). But new laws could save the many plans whose sponsors aren't devious, just dumb.

## THE DEFENSE OF MARRIAGE ACT

HON. JAMES M. TALENT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 23, 1996

Mr. TALENT. Mr. Speaker, marriage is older than the Government, older than the Constitution and the Union, older than the political traditions from which our Republic springs. It originated with human civilization; it is rooted in and sanctioned by the precepts of all the great monotheistic religions and in particular the Judeo-Christian religion. It strikes me as an enormous act of presumption to treat the institution of marriage as if it were infinitely malleable, like silly putty that can be turned and twisted into any shape without destroying it. If marriage means anything, it means nothing, and if it means nothing then our society fades away like a flower with no roots. I support this bill because it does what it says it will do; it defends marriage insofar as it is appropriate in our Federal system for the Congress to do so.

I want primarily today to concentrate on the arguments offered against the bill.

First, it is said that the bill discriminates against loving homosexual partners. Well, Mr. Chairman, this bill maintains the standards of our society; and whenever you maintain a standard, you necessarily place a burden on those who don't meet the standard. Our society has a standard against polygamy; that means that loving polygamous couples cannot all marry each other. We have a rule against incest. That discriminates against adult incestuous couples who wish to marry. Mr. Chairman, our society is hurting so badly that I'm for almost any kind of real love or commitment. But there is a limit to how much we can change the organic institutions of our society in response to the alienation some people feel. We live in a free country, where people can live pretty much as they want. It is free precisely because we have standards, because our society has successfully socialized most Americans in the values of love, charity, and tolerance; and the institution on which we depend to socialize these values is the institution of marriage. Those who oppose this bill are either seeking no standards or a standard vastly different from that sanctioned by millennia of tradition, the teachings of all the monotheistic religions, and in particular the teachings of Judeo-Christian religion on which our culture is based.

It is also argued that supporting this bill and defending traditional marriage is equivalent to racial bigotry. Here I have to offer the House a personal complaint. I don't speak very often on the House floor, and it seems like every time I do somebody is calling me a racial bigot. I was for a balanced budget and that made me the same as a racist. I'm for welfare reform and in the eyes of some that was the equivalent of racism. Now I'm for the traditional standards of marriage and once again the other side is calling me a bigot. Well, if supporting heterosexual marriage is the equivalent of racism, then Pope John Paul is the equivalent of a racist and so are a lot of black pastors around the country because they all support traditional marriage, too. Mr. Chairman, it is precisely this kind of incoherence, this substitute of moral posturing for moral reasoning, that is at the heart of the cultural decline in America today.

Finally, we are told that this bill is divisive. Mr. Chairman, there is a division in our society over whether homosexuality should be treated in all respects as equivalent to heterosexuality. Those who support this agenda are attacking the marriage institution in support of their cultural goals. We do not call you divisive because you are attacking the institution of marriage. Why do you call us divisive for defending it? The question isn't whether any of us are being divisive; it is what side of the division you are on, and whether you want this dispute to be resolved for every State by the Supreme Court of one State. If you respect marriage, if you cherish the traditions of our society, if you want to nurture the most basic institutions of our culture, then vote against these amendments and for the Defense of Marriage Act.

## INTRODUCTION OF THE NORTHERN MARIANA ISLANDS DELEGATE ACT

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 23, 1996

Mr. GALLEGLY. Mr. Speaker, I am introducing today a bill to provide for a nonvoting Delegate to the House of Representatives to represent the Commonwealth of the Northern Mariana Islands.

I do so with the original cosponsorship of Chairman DON YOUNG. Both of us have set the goal of clearing away the old, traditional ways of dealing with the territories of our Nation. The Northern Mariana Islands Delegate bill serves that goal. This measure enjoys broad bipartisan support and I want to acknowledge members of the minority who are also original cosponsors.

I believe in fairness and political justice. Every U.S. citizen living within the borders of this Nation should have a voice in Congress. Only the people of the Northern Marianas do not. My bill corrects that. It provides for a Delegate to represent the Northern Marianas here in the House of Representatives.

Historically, Congress has provided for representation by Delegate for over 30 U.S. territories. Today, four of five territories and the District of Columbia, or the six areas of our Nation which have permanent populations but are not States, are so represented. My bill provides representation for the sixth, the Northern Mariana Islands.

I also believe in reducing the influence of Washington in local affairs and in increasing local responsibility for local actions. During the last two Congresses, I urged the closing of the Interior Department office that has for years been a kind of territorial overseer. With the bipartisan support of my colleagues, the 104th Congress has terminated the Office of Territorial and International Affairs, eliminated the Assistant Secretary political position for that office, and reduced the bureaucracy in half. That office was no longer required since the territories have their own elected officials at home and their own elected official in Congress. However, only the Northern Marianas lacks an elected representative in Congress and the legislation I have introduced corrects that. With passage of the Northern Mariana Islands Delegate Act, all these territories will be

able to speak for themselves and will be responsible for their own actions.

Many of us in this Congress have concerns about local law enforcement and protection of fundamental human rights in the Northern Marianas and there is no intention to lessen the commitment in these areas. At the same time, we can also see that the society and economy of the islands have flourished as part of the United States. We should have a Delegate, elected by the people of the Northern Marianas, here in Congress, to whom other Members can go to answer our concerns. We should have a Delegate here who can legitimately advise Congress of what Federal actions are appropriate and necessary in the Northern Marianas.

In introducing this bill today, I want to remind Members of the special circumstances under which the Northern Marianas became a part of the United States after World War II. The Marianas were one of four Micronesian archipelagoes in the United Nations Trust Territory of the Pacific Islands administered by the United States. The other three areas voted in self-determination referenda to become separate sovereigns in free association, with separate nationality and citizenship. However, unlike the other areas, the people of the Northern Marianas chose to be part of the American political family. In 1975, they did so by an overwhelming vote of 79 percent approving a Covenant of political union negotiated by their representatives and representatives of Presidents Nixon and Ford. In 1976, Congress approved that Covenant with Public Law 94-241.

Despite this birth by democratic self-determination and having gained U.S. citizenship on November 3, 1986, the people of the Northern Marianas have never had representation here in the House of Representatives. In 1985, a Commission appointed by President Reagan and including Congressman Robert J. Lagomarsino, long an expert on insular affairs in this House, recommended a Northern Marianas Delegate. His predecessor on the Commission, former Congressman Phillip Burton, was another advocate of the U.S.-Marianas relationship, and supported eventual representation for the islands.

The Northern Marianas Legislature has three times in the last 6 years petitioned Congress for a Delegate. The speaker of the NMI Legislature, Diego T. Benavente, recently appeared before a congressional hearing I conducted which addressed this issue, and affirmed that the NMI is prepared to enact the necessary implementing legislation for the election of a Delegate. The elected official who represents the islands here, Resident Representative Juan N. Babauta, has untiringly sought the voice in Congress his people want.

Today, I am responding to the Commission's recommendation, the clear desire of the people of the Northern Marianas, and to my own sense of what is right. I hope that the House of Representatives and the Senate will act on this legislation in this session, so that the new Americans of the Northern Mariana Islands can cast their votes for the election of a Delegate to Congress on their 10th anniversary of U.S. citizenship. I urge my colleagues to cosponsor the Northern Mariana Islands Delegate Act. Following is the text of the legislation.

H.R. —

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Northern Mariana Islands Delegate Act".

#### SEC. 2. DELEGATE TO HOUSE OF REPRESENTATIVES FROM THE NORTHERN MARIANA ISLANDS.

The Joint Resolution entitled "Joint Resolution to approve the 'Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America', and for other purposes" approved March 24, 1976 (48 U.S.C. 1801 et seq.), is amended by adding at the end the following new section:

#### "SEC. 6. DELEGATE TO THE HOUSE OF REPRESENTATIVES.

"(a) IN GENERAL.—The Northern Mariana Islands shall be represented in the United States Congress by a nonvoting Delegate to the House of Representatives. The Resident Representative of the Northern Mariana Islands, as authorized by section 901 of the foregoing Covenant and upon election pursuant to subsection (c) of this section, after the date of the enactment of this section, shall be the Delegate.

"(b) COMPENSATION, PRIVILEGES, AND IMMUNITIES.—Until the Rules of the House of Representatives are amended to provide otherwise, the Delegate from the Northern Mariana Islands shall receive the same compensation, allowances, and benefits as a Member of the House of Representatives and shall be entitled to whatever privileges and immunities are, or hereafter may be, granted to the Delegate from Guam to the House of Representatives.

"(c) ELECTION OF DELEGATE.—The Delegate from the Northern Mariana Islands shall be elected, but not appointed, as authorized by section 901 of the foregoing Covenant and the Constitution and laws of the Northern Mariana Islands so long as such authorization complies with the Federal election criteria for, and provides for elections in sequence with, the election of other Delegates to the House of Representatives.

"(d) VACANCY.—In case of a permanent vacancy in the office of Delegate, by reason of death, resignation, or permanent disability, the office of Delegate shall remain vacant until a successor is elected and qualified.

"(e) LACK OF EFFECT ON COVENANT.—This section shall not be construed to alter, amend, or abrogate any provision, other than section 901, of the foregoing Covenant."

#### RECOGNIZING MEMBERS OF THE NEWS MEDIA

HON. JAY KIM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 23, 1996

Mr. KIM. Mr. Speaker, I rise today to recognize the accomplishments and achievements of several members of the news media in my district. I have the distinct advantage of representing a district of California that is served by reporters who not only respect a difference of opinion, but who feel an obligation to make their readers aware of both sides of an issue.

Recently, several of these journalists, and the newspaper for which they write, were recognized for their uncompromised integrity and journalistic ability, something that far too frequently goes unrecognized in today's tabloid,

sensational news environment. Gannett newspapers has chosen to recognize the best of its organization and I would like to second their selection of Mr. Arnold Garson and the San Bernardino County Sun as being the Best of Gannett in 1995.

The Sun took a gold medal for outstanding achievement and news performance, while Mr. Garson was honored as one of the Editors of the Year. In addition, reporters Michael Diamond, M.S. Enkoji, Cassie MacDuff, Mark Muckenfuss, John Whitehair, and Mark Zaleski were all recognized for excellence in news reporting. As a public figure, and I'm sure many of my colleagues in Congress would agree, I do not readily give praise to members of the press, but having read the Sun for these many years, I can say that the Sun has maintained the type of professionalism and commitment to accurate news reporting that make it deserving of these awards.

#### DEPARTURE OF LINCOLN UNIVERSITY PRESIDENT WENDELL RAYBURN

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 23, 1996

Mr. SKELTON. Mr. Speaker, today I pay tribute Wendell Rayburn, president of Lincoln University, who will be leaving after 8½ years of service. A leader in education in our State, President Rayburn has also been active in the community of Jefferson City. His most important achievement has been his commitment to greater stress on scholarship and academics. President Rayburn successfully led Lincoln University from its budget deficit and put it on a solid fiscal basis.

Further, his leadership led to new construction and higher level of maintenance. Dormitories were renovated and a new library was completed. Also he introduced new technology into the classroom. Wendell Rayburn's leadership and commitment to excellence will be missed.

#### WASHINGTON WONDERLAND

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 23, 1996

Mr. JACOBS. Mr. Speaker, the eloquence and penetrating logic of the Taxpayers Unions' Sid Taylor graces the CONGRESSIONAL RECORD once again.

MONEY, SYSTEMS AND YOUR HEALTH

(By Sid Taylor)

About 2,000 years ago, Jesus Christ chased the money changers out of the Temple. Today, they're back.

This time, and in our Space Age temple of finance and fiscal systems, the money changers have computers, satellite communications networks and instant money transfer. With a national debt now around \$5.5 trillion—I have the feeling that our American temple of democracy is about to experience Fiscal Shock.

Our American capitalistic system is now running on "funny money". A government can do this for so long and then the law of