

Let me just list a few of the report's findings about children born to teenage mothers:

They are more likely to be born prematurely and 50 percent more likely to be born low birthweight than if their mothers had waited 4 years to bear them.

They are twice as likely to be abused or neglected.

They are 50 percent more likely to repeat a grade and perform significantly worse on cognitive development tests.

The girls born to adolescent moms are up to 83 percent more likely to become teenage moms themselves.

The sons of adolescent mothers are up to 2.7 times more likely to land in prison than their counterparts in the comparison group. By extension, adolescent childbearing in and of itself costs taxpayers roughly \$1 billion each year to build and maintain prisons for the sons of young mothers.

"Kids Having Kids" is the most comprehensive report done on the costs and consequences of teenage pregnancy to parents, children, and society. This groundbreaking report graphically illustrates this financial loss in terms of social and economic costs to our Nation.

I commend this report to all of my colleagues as essential reading.

Yesterday, the House passed the welfare reform conference agreement, with the Senate expected to vote on it today. This welfare reform legislation will then be signed into law by the President. However, we should realize that this alone will not prevent or drastically reduce teenage pregnancy. A far more expansive effort will be required to motivate and encourage young people to take positive development options rather than the negative options that result in teen pregnancy.

We, in the House, missed an opportunity to make a statement about teen pregnancy prevention and to provide funding for the \$30 million Teen Pregnancy Prevention Initiative requested in the Labor, Health and Human Services and Education appropriations bill. Thirty million dollars is less than one-half of 1 percent of the 6.9 billion tax dollars per year spent on teenagers once they become pregnant and give birth.

Each year approximately 1 million teenagers become pregnant. Once a teenager becomes pregnant there simply is no good solution to the problem. The best solution is to prevent the pregnancy in the first place.

Teenage pregnancy is a condition that can be prevented. It is critical that this Nation take a clear stand against teenage pregnancy. Devoting more energy, resources, and funding to preventing teen pregnancy will not only save us money in the long run, but it will also improve the health, education and economic opportunities of our Nation's youth.

The situation is urgent. I encourage other House Members and Senators and all Americans to unite in a sustained, comprehensive effort to prevent teen pregnancy.

MANDATORY ARBITRATION VIOLATES CIVIL RIGHTS

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1996

Mrs. SCHROEDER. Mr. Speaker, many employers are forcing their employees to relin-

quish their civil rights by requiring them to sign contracts mandating arbitration under the employees' terms.

This past week, the New York Times told about another victim of mandatory arbitration—a woman named Michele Peacock.

As the July 28 article points out, Ms. Peacock's sexual harassment case against Great Western Mortgage Corporation was compelling, but she will probably never be able to take her case to court because her company required her to agree, as a condition of her employment, to mandatory arbitration under terms that were highly advantageous to her employer. I ask that this article be included in the RECORD.

Members of this body have the opportunity to ensure that employees don't sign away their civil rights at the corporate door by cosponsoring a bill introduced by myself and Mr. MARKEY, the Civil Rights Procedures Protection Act, H.R. 3748.

H.R. 3748 would prevent the involuntary application of arbitration to claims that arise from unlawful employment discrimination. It would amend seven federal statutes to make it clear that the powers and procedures provided under those laws are the exclusive ones that apply when a case arises.

This bill would also invalidate existing agreements between employers and employees that require employment discrimination claims be submitted to mandatory, binding arbitration, while allowing employees who want to resolve their claim under arbitration to elect to do so voluntarily.

I urge Members to support this bill.

[From the New York Times, July 28, 1996]

WORKERS WHO SIGN AWAY A DAY IN COURT

(By Roy Furchgott)

When Michele Peacock left the Great Western Mortgage Corporation in January 1996, she and her lawyers thought they had an ironclad sexual harassment suit, one rife with examples of on-the-job innuendo. At an Atlantic City convention, she said, one executive tried to maneuver her into bed as a chance "to get to know you better." Ms. Peacock sued. "I wanted my trial by jury," she said. "There is no doubt in my mind that I would win. None."

But like an increasing number of American workers, she will probably never have her day in court. When Ms. Peacock, 31, joined Great Western she was required to sign a contract that mandated that any dispute with the company would be settled through binding arbitration. The human resources manual contained the rules for arbitration: the company would pick the arbitrator, whose fees would largely be paid by Great Western; Ms. Peacock could not win punitive damages or recover lawyers' fees; her lawyers could not question opponents and she would get no documents before the hearing. Ms. Peacock is now suing for the right to take her case to court. Tim McGarry, a spokesman for Great Western, said the company did not comment on pending litigation.

Ms. Peacock is not alone. Employers increasingly use employment contracts not only for traditional purposes—protecting trade secrets and limiting competition from former employees—but to be able to dismiss employees without being sued and to insulate themselves from discrimination suits. A poll commissioned in 1995 by Robert Half International, a headhunting firm, found that 30 percent of United States companies with 20 or more employees planned to increase their use of employment contracts, compared with 17 percent that said they would decrease the use of the contracts.

These contracts for lower-level workers are a far cry from what "employment contract" often brings to mind when applied to top executives—million-dollar bonuses and golden parachute severance agreements. "People are signing away their right to take their claims to Federal court, and they are signing away their right not to be discriminated against," said Ellen J. Vargyas, a lawyer for the Equal Employment Opportunity Commission.

Employers counter that employees have abused rights granted under a 1991 amendment to the Civil Rights Act of 1964. The law, called Title VII, provides for jury trials and allows punitive damages in discrimination cases. But dismissed workers, employers say, often claim sex, age, race and religious discrimination unfairly.

"An employee who loses a job just has to find one of those cubbyholes to fit their claim in," said John Robinson, the chairman of the American Bar Association's Employment and Labor Relations Litigation Committee in Tampa, Fla. "Everyone is a protected something. Even a white male can claim reverse discrimination."

Employers says that without mandating arbitration, employees would choose jury trials, which are expensive for both parties. "Arbitration brings the recurring costs of discovery and appeals under control," said Mr. McGarry of Great Western. He also said arbitration "levels the playing field."

"A company with vast resources can't wear down an opponent with fewer resources," he said.

Lawyers say courts have been blurring distinctions between "at will" employees, who can be dismissed without being told a reason, and "just cause" employees, who can be let go only for poor work or misconduct. "What's changed is courts in several states find bland statements in handbooks, comments on growing up together and making lots of money in the future, two good reviews and a comment at the company Christmas party" and accept these as a contract, said William F. Highberger, a lawyer at Gibson, Dunn & Crutcher, which often represents employers.

Such contracts were born in the securities industry, which has long required all employees to sign an arbitration agreement. This practice has withstood several attacks in court, forcing employees into arbitration, where they frequently fare less well than before a jury.

Paul DeNisco of Staten Island is a former trader for Merrill Lynch who signed a mandatory arbitration agreement in 1990. He wanted to sue his employer for age discrimination in 1991 when, at 48, despite years of good employee reviews, he was dismissed during what Merrill Lynch said was a reorganization of Mr. DeNisco's department. In 1995, Mr. DeNisco went into arbitration with what he thought was a strong piece of evidence: a page of notes written in 1992 by a 30-year-old manager.

Nancy Smith of West Orange, N.J., one of Mr. DeNisco's lawyers, said the page was notes taken from a conversation the manager had with Mr. DeNisco's equally young boss. She said the note showed that the manager had been directed to hire someone "our age—male" for another department and showed a predisposition of the company to hire young workers.

Timothy Gilles, a spokesman for Merrill Lynch, said on Thursday, "These notes do not indicate any discriminatory intent or conduct at Merrill Lynch, and the claimant did not attempt to present any evidence to the contrary."

Arbitrators denied Mr. DeNisco's claim. "I wrote a letter asking the arbitrators for their rationale," Mr. DeNisco said. "They

said they don't have to tell me and they don't want to." No appeal is allowed.

Arbitration need not use previous cases in rendering a decision, and they do not have to provide a written decision, as judges do, or provide for appeals. Arbitrators must make judgments under any rules laid down by the company, and that has caused some arbitrators to turn down these assignments.

"I personally have a problem with it," said Arnold Zack, an arbitrator and past president of the National Academy of Arbitrators. Employers often stack the deck, he said, "and we are for fair play." The National Employment Lawyers Association, made up of lawyers who represent employees, had threatened to boycott arbitration companies that hear mandatory arbitration disputes. The group has since worked out guidelines with arbitrators that halt some practices, like arbitrations in which employees cannot collect lawyers' fees if they win, but may have to pay employers' legal fees if they lose.

Many judges seem to have no problem with arbitration. Not only have they upheld arbitration decisions, but arbitration keeps many disputes out of crowded courts. Some judges are being enticed off the bench by the high pay of arbitration. One employee lawyer, Cliff Palefsky, said arbitrators charged up to \$500 an hour and commonly earned \$300,000 to \$400,000 a year.

Not all courts uphold arbitration, though, and employee lawyers continue to probe for a chink in the armor. One successful challenge was mounted by Jane Letwin, a lawyer in Fort Lauderdale, Fla., on behalf of her husband, Bob. According to Mrs. Letwin, when his employer, the Bentley's Luggage Corporation, demanded that all employees, even part-timers like Mr. Letwin, sign a contract agreeing to mandatory arbitration, he balked.

The Letwins said that when he refused to sign, Mr. Letwin was dismissed after eight months at the company. But Mrs. Letwin pressed her husband's claim with the National Labor Relations Board, contending unfair labor practices because the arbitration threat could be used to prevent labor from organizing. Mr. Letwin was reinstated with full back pay. Officials at Bentley's did not respond to requests for comment.

The trend in contracts has not escaped notice in Washington. Senator Russell D. Feingold of Wisconsin and Representatives Patricia Schroeder of Colorado and Edward J. Markey of Massachusetts, all Democrats, have proposed bills to protect employees. The Senate version says it would "prevent the involuntary application of arbitration to claims that arise from unlawful employment discrimination."

For now, experts expect the mandatory-arbitration trend to grow. And employees faced with the requirement on employment contracts appear to have two choices: take it or leave it.

CONGRATULATIONS TO DR.
PATRICIA C. DONOHUE

HON. WILLIAM (BILL) CLAY
OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1996

Mr. CLAY. Mr. Speaker, I applaud and salute Dr. Donohue on her tenure as President of the National Council for Occupational Education [NCOE].

Dr. Patricia C. Donohue has provided dynamic leadership as the 1995-96 president of the National Council for Occupational Edu-

cation. During her tenure, she focused on initiating exemplary policies and practices in economic development and workforce preparation for workers in our global economy. The NCOE's members are professionals in community and technical college education who serve as workforce development and occupational education resources for legislators and policymakers from various governmental agencies. NCOE also promotes innovative practices in community and technical colleges and tracks student achievement in these areas.

Early in Dr. Donohue's tenure, she convened a strategic planning process which established five critical goals for NCOE for the years 1995-1997.

The first goal is to transform education and training programs and structures to better prepare workers for the 21st century. The NCOE-produced monograph Workforce Development defines the need for national policy in this critical area and identifies strategies necessary for progress. NCOE provided copies of Workforce Development to congressional committees, Representatives, and Senators, for use in their important work on new education and workforce training legislation including efforts to streamline dozens of job training and education programs.

The second goal emphasizes improving legislative relations by the organization. A National Policy Response Team was implemented for this purpose. Team members made monthly visits to agencies and legislators on Capitol Hill in Washington, DC. The team provided information to legislators and facilitated communication with practitioners. In addition, the policy response team provided quick responses to congressional and agency requests.

The third goal is to collaborate in workforce preparation initiatives. Partnerships have been established with the National Council of Advanced Technology Centers. Network (a Department of Labor project), and the National Council on Community Service and Continuing Education [NCCSCE]. Monographs will be forthcoming from project partnerships with the League for Innovation and the National Center for Research on Vocational Education and also from the joint work with NCCSCE. The National Association for Manufacturing and the National Skill Standards Board are among other partners working with NCOE.

The fourth goal established is to inaugurate a leadership development program. Regional training conferences will be established to implement this goal.

The fifth goal is that of enhancing operating strategies for member services. In addition to improvements in the organization's newsletter, an Internet electronic Web page has been initiated to provide information and respond to questions.

Dr. Donohue also serves on the Commission on Community and Workforce Development of the American Association of Community Colleges [AACCC]. She is a coauthor of a Commission Monograph on the community college role in implementing reforms in workforce preparation proposed in Federal legislation.

Again, congratulations and best wishes for continued success in your efforts with the National Council for Occupational Education as well as with St. Louis Community College.

CENTENNIAL CELEBRATION OF F.
SCOTT FITZGERALD

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1996

Mrs. MORELLA. Mr. Speaker, I rise today in honor of the city of Rockville's Centennial Celebration of F. Scott Fitzgerald. This year-long celebration will commemorate the centennial year of his birth as well as his association with the city of Rockville.

F. Scott Fitzgerald is widely regarded as having been one of America's foremost authors. The novels and short stories he wrote during the 1920's and 1930's were distinctly American in their cultural view, yet the humanity that his characters displayed was universal. His masterpiece, "The Great Gatsby," remains a mainstay in literature classes across the country. Francis Scott Key Fitzgerald passed away on Dec. 21, 1940. He now is buried alongside his wife, Zelda, his daughter, Scottie, and his parents and grandparents at Rockville's St. Mary's Cemetery.

The F. Scott Fitzgerald Centennial Committee has done an exceptional job in preparing this year of celebration. In addition to movie nights and theme months—April was "Roaring Twenties Month"—they have planned events to raise public awareness about Fitzgerald's life and his current literary heirs. In September they have planned a "Gatsby Ball" for charity, with all profits from the evening going to Rockville Arts Place. Also in September is the first ever F. Scott Fitzgerald Literary Conference at the Montgomery College Theater Arts Building, located at Montgomery College's Rockville Campus. This event will be marked by the presentation of the first F. Scott Fitzgerald Literary Prize to William Styron, author of the Pulitzer Prize-winning novel "The Confessions of Nat Turner," as well as many other works, including 1979's "Sophie's Choice."

I know my colleagues will join me in recognizing the citizens of Rockville who have given their time to help in the remembrance of one of America's premier writers: John Moser and Don Boebel, Co-Chairs of the F. Scott Fitzgerald Centennial Committee; Hon. Rose G. Krasnow, mayor of the city of Rockville; the members of the city of Rockville Public Information Office. As this centennial year continues, let us all remember F. Scott Fitzgerald and his literary creations.

CONGRESSIONAL PENSION
FORFEITURE ACT

HON. RANDY TATE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1996

Mr. TATE. Mr. Speaker, today I am proud to introduce the Congressional Pension Forfeiture Act with my colleagues, Mr. RIGGS and Mr. DICKEY. The three of us have worked long and hard to define this important, historic legislation to deny pension benefits to Members of Congress convicted of federal felonies. I'd like to thank them for their hard work, and I think I can speak for all three of us in thanking Mr. HOEKSTRA, chairman of the Speaker's Task Force on Reform, for his continued interest and involvement in our efforts.