

became addicted to gambling, squandered their life savings, ran up incredible debts and then, when he could bear no more, took his own life?

The father of recently slain Sherrice Iverson, the 7-year old whose strangled body was found in a Nevada casino restroom, after she had been allowed to roam unsupervised for long periods while he played the tables, might not be a willing witness. It may be difficult to persuade an indicted state legislator to sit before you to relate how he sold out those he represented for an under-the-table payoff from those wanting to bring a casino to town. Will Missouri's former House Speaker of 15 years who resigned in the face of a federal investigation into financial ties with casinos be eager to tell his story?

Two prominent Kansas City clergy who resigned their pastorates recently due to problem gambling may be reluctant to tell their stories. According to Kansas City Reverend Ben Skinner, one stole \$60,000 from his congregation and lost it at the casinos and the other was discovered gambling while disguised in a wig and glasses. They may not be eager to meet with you.

But too many people with stories like these are out there and you need to hear from them.

I hope you do. I wish you well and pray for your success. Thank you.

REMARKS OF REPRESENTATIVE  
TILLIE K. FOWLER REGARDING  
A TRIBUTE TO J.L. CULLEN

**HON. TILLIE K. FOWLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 20, 1997*

Mrs. FOWLER. Mr. Speaker, the Russell Caucus Room was filled to overflowing this morning with Members, staff, and other friends of J.L. Cullen, who came to pay tribute to her memory. Since I was unable to participate in that event due to votes here in the House, I would like to submit my remarks for the RECORD.

There is an old saying that kindness is like snow—it makes everything it covers beautiful. To all of us who knew J.L. Cullen, it is no exaggeration to say that she made the world a more beautiful place, because she was one of the kindest people I have ever known.

J.L. was one of those individuals who sets a standard to which the rest of us mortals can only aspire. She was what my mother, another Southern lady, would call a lovely person—in every way. She was smart as a whip and had an encyclopedic knowledge of the legislative process and the way this town works. She knew just about everybody in Washington, and was liked and admired by same. She had a great sense of humor, was a lot of fun, and—in addition to being a hard worker—had a rich and satisfying personal life. Any of us who enjoyed her lovely paintings or were privileged to taste her cooking can attest the latter. In addition, J.L. was a lady through and through—tough as nails when she needed to be, but always gracious and tolerant toward others.

I know that many of my colleagues in the House and Senate knew her, and they all have great things to say about her and great memories of her. Most of all, though, I think that my favorite memories of J.L. will be of her warm heart and her generosity. In spite of her schedule, she always had time to lend a hand

or a shoulder—depending upon which was needed—and it seemed to me that she truly spent most of her time thinking not about herself, but about what she could do for other people. She was a friend to anyone who would let her be a friend, regardless of party affiliations or anything else. She was very creative, and she was always coming up with ways to help others—even people she didn't know very well. She loved to take new Members under her wing and share her knowledge with them, and I am sure that several congressional careers were saved or at least enhanced by her timely advice and admonitions. I know that the little oasis of fun and fellowship that she created for the women Members through her dinner parties was a real source of refreshment and inspiration to all of us.

I suppose I am trying to say that J.L. was the kind of person that parents hope their children will grow up to be—smart, successful, substantial and savvy—but above all, selfless. I was honored to call her my friend; I miss her; and I think that Washington is a little duller, a little colder, and a lot less fun without her.

REPUBLICAN TAX RELIEF

**HON. RON PACKARD**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 20, 1997*

Mr. PACKARD. Mr. Speaker, I rise today to speak on behalf of Republican tax relief. I urge my colleagues to put themselves in the shoes of working class America when you consider this bill.

Working class, middle-income Americans struggle to make ends meet. For President Clinton, to consider middle-class Americans that earn \$75,000 a year as rich is simply ludicrous. Many middle-class families that earn that much are double income families.

Our plan provides tax relief for working women in double-income families. It also provides tax relief for parents with children in child care by indexing the dependent care tax. Senior citizen couples who make under \$41,200 a year will enjoy a 10 percent capital gains rate under the Republican proposal.

With our bill, middle-income families will benefit from a \$500 per child tax credit. A family that has a child today will receive an estimated \$10,309 in tax relief under the Republican plan by the time that child is 18. The tax relief will also create education investment accounts that will allow parents to save tax-free for their children's higher education.

Just 4 years ago under a Democrat-controlled Congress, American families were hit with the largest tax increase in the history of the world. It has been 16 years since Americans had any meaningful tax relief. Mr. Speaker, it is time to give Americans what they deserve and the Republican plan for tax relief delivers for America's families. I urge my colleagues and the President to strongly support it.

PAYING TRIBUTE TO RICHARD M.  
DRISCOLL

**HON. JERRY MORAN**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 20, 1997*

Mr. MORAN of Kansas. Mr. Speaker, I rise today to reflect on the passing of an outstanding man, Richard M. Driscoll of Russell, KS, who died last week at the age of 78.

Mr. Driscoll was born on May 9, 1919, on a farm in southeastern Russell County, and graduated from Russell High School in 1937. "Dick," as his friends called him, attended the University of Kansas from 1937 to 1940 and was a letterman on both the track and football teams.

Mr. Driscoll enlisted in the U.S. Marine Corps after graduating from Washburn Law School and served 2 years with the First Marine Division in the Pacific theater. Upon discharge from the Marines, he returned to Russell County and began to practice law. He was a well respected attorney in Kansas and was also active in farming, oil, and banking.

Dick Driscoll served most of his life in public service. He was a commissioner of the Kansas Highway Department from 1958 to 1962 and from 1973 to 1975. He was a former commissioner on the Economic Development Commission of the State of Kansas from 1969 to 1973 and a member of the Kansas Trade Commission to Japan in 1973. He always enjoyed and was active in local, State, and national politics and was chairman of the Russell County Democratic Central Committee for 35 years. He was also a delegate to two Democratic National Conventions.

He was admitted to the Kansas Bar on July 1, 1943, and received his 50-year certificate and pin of active service in 1993. He was named a counselor to the U.S. Supreme Court in 1971.

Mr. Speaker, men like Dick Driscoll made this country great as soldiers in war and stewards in peace. He will be missed by his family, friends, and fellow residents of the first district. I ask you to join me in paying tribute to Richard M. Driscoll and his lifetime of service to his Nation and State.

IN MEMORY OF JAMES FRANCIS  
McFARLAND

**HON. MICHAEL F. DOYLE**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 20, 1997*

Mr. DOYLE. Mr. Speaker, I rise today to honor the memory of Jim McFarland, a member of my staff who passed away last week. For over 2 years, Jim had served the people of Pennsylvania's 18th Congressional District as a member of my staff, but his years of service to the people of Pennsylvania and the Nation began long before my election to Congress.

Jim was born in 1928 in McKeesport, PA, and lived his entire life in the area of western Pennsylvania known as the Mon-Valley. He bravely served our country as a member of the Army Air Force during the Korean war and after the war returned to the Mon-Valley where he worked as a tool and die maker for the

next 40 years at Fisher Body. His public service continued throughout his life exemplifying his commitment and concern for improving the lives of all people.

For 20 years, Jim served as a councilman in his hometown of Jefferson Boro, which honored him with the Crossweight Award in recognition of this service. He also served as a trustee at his church, as the chairman of the Jefferson Boro Democratic Committee, and as president of Local No. 544 of the United Auto Workers. In truth, however, this collection of titles and official positions, while impressive, barely scratches the surface in terms of defining the man.

Jim McFarland was a truly compassionate individual the likes of which this world is rarely lucky enough to see. His presence graced the lives of everyone he came in contact with including his wife, Garnet, his son, Kevin, and his brothers, sisters, and grandchildren. On a personal level, I considered Jim to be one of my most trusted and valued friends. I only knew Jim for a small part of his 68 years, but from the day I first met him some 5 years ago I was struck by his rare combination of dedication, intellect, and extraordinary compassion. I was truly honored to have Jim consider me his friend. I know that I speak not only for myself, but for everyone that knew Jim, in saying that while we will miss him terribly, there is still a sense of joy because the world is a better place because of the life of Jim McFarland.

#### AIRLINE DISASTER RELIEF ACT

### HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 20, 1997*

Mr. McDADE. Mr. Speaker, I rise today to introduce, with 38 members of a bipartisan coalition, the Airline Disaster Relief Act, a measure which will provide equitable treatment for families of passengers involved in aviation disasters regulated by the Death on the High Seas Act of 1920 [DOHSA].

The White House Commission on Aviation Safety and Security in its February 1997 report stated, "Certain statutes and international treaties, established 50 years ago, historically have not provided equitable treatment for families of passengers involved in international aviation disasters. Specifically, the Death on the High Seas Act of 1920 and the Warsaw Convention of 1929, although designed to aid families of victims of maritime and aviation disasters, have inhibited the ability of family members of aviation disasters to obtain fair compensation."

The Airline Disaster Relief Act will reverse the injustice of the Death on the High Seas Act by allowing plaintiff families of air disaster victims to obtain a fair jury trial and receive just compensation for loss of companionship, loss to society, and punitive damages for the death of their loved ones which claimants are currently restricted from obtaining. It is time to bring sanity and justice to the application of the Federal laws and international treaties which regulate airline disaster claims. Passage of the Airline Disaster Relief Act will be an important first step in achieving this objective.

Currently, there are two legal hurdles which families must overcome to obtain financial compensation for a lost loved one. The first is

the Warsaw Convention of 1929 which is the primary vehicle to initiate lawsuits related to airline disasters. The second, is the Death on the High Seas Act which the Supreme Court recently ruled is the Federal law that determines the categories of damage awards. Under the Warsaw Convention, which governs the liability of airlines for airline disasters, families of passengers who died on international flights, such as TWA Flight 800, can receive no more than \$75,000 for the loss of their loved one unless they can prove willful misconduct on the part of the airline. In November 1996, the airline industry waived the \$75,000 cap and the need to prove willful misconduct for all future compensation cases. The airlines are to be commended for this action. However, in the case of the TWA 800 families, the waiver does not apply since the air disaster occurred in July 1996 and the tariff waiver agreement was signed the following November 1996. The lack of retroactive application of the waiver to TWA 800 means the \$75,000 cap is still in place and willful misconduct is still the threshold under the Warsaw Convention to be proven for greater compensation. It is my hope that the administration, the Airline Transportation Association and the airline will work to reverse his injustice and grandfather the TWA families into the November 1996 Tariff Agreement.

Although the Warsaw Convention is the primary vehicle through which plaintiffs initially seek compensation, the Supreme Court has ruled that damage awards will be based on the antiquated federal law the Death on the High Seas Act [DOHSA]. In 1920, the Death on the High Seas Act was designed for the immediate family of sailors lost at sea to obtain compensation for lost income before a U.S. District Judge under maritime law. Additionally, DOHSA restricts the circle of claimants to those family members who are economically dependent upon the decedent. It took the Supreme Court 77 years to fold major civil aviation related tragedies occurring more than 3 miles from the shores into the Death on the High Seas Act, which was passed at a time when international civil aviation did not exist. DOHSA is invoked when a crash occurs more than a marine league, roughly 3 miles, offshore as in the case of TWA Flight 800.

When the \$75,000 cap of the Warsaw Convention and the compensatory restriction of only seeking loss of income under DOHSA are combined, family members of TWA 800 victims may receive minimal or no compensation through the courts. The interactions of these archaic and arcane laws are dealing families a grave and cruel injustice.

As in the case of TWA 800 and the families of the 21 high school students and chaperons from Montoursville High School, PA, the application of DOHSA will mean that the families of the students will receive minimal compensation since children generally contribute little economically in support of their families. If your children are not supporting you or it is proven in court that they would not have the ability or inclination to support the parents, there will be no compensation. Additionally under DOHSA, surviving parents will be unable to obtain compensation for loss of companionship, loss to society, pain and suffering or punitive damages for lost loved ones. Furthermore, family members of adult victims may receive no compensation unless that individual was directly contributing to the economic welfare of the parents or siblings.

Clearly, under most state tort laws, these limits on categories and thresholds of compensation would be viewed as inequitable, unfair, and inhuman. This inequality is best demonstrated in the State of Pennsylvania. On January 9, 1996, the Supreme Court ruled in *Yamaha versus Calhoun* that State tort law applies when an accident occurs within 3 miles from the shore, and on January 16, 1996, the same Supreme Court decided in *Zicherman versus Korean Airlines* that the Death on the High Seas Act governs tragedies beyond the 3-mile territorial limit. Thus, in *Yamaha versus Calhoun*, Pennsylvania State law applies which allows numerous categories compensation for injury or death of a family member. In *Zicherman versus Korean Airlines*, where DOHSA is applied, families such as those involved in the KAL 007 and TWA 800 air disasters will be restricted to obtaining only one category of compensation—loss of income. The application of DOHSA to the TWA 800 incident will have a draconian impact on the families of the Montoursville High School students and chaperons since they will receive minimal compensation for the loss of their children. DOHSA also applies to all civil air flights, whether domestic or international, such as the airports in Boston, New York, San Francisco, and Los Angeles, where approaches and landings are often over water.

Both the Supreme Court in *Zicherman versus Korean Airlines* and the White House Commission on Aviation Safety and Security recommend that Congress correct these inequities—as other countries have done already, considering that DOHSA was enacted in 1920 to protect widows of seamen—at a time when civil aviation did not exist. The Airline Disaster Act will abrogate the impact of the Death on the High Seas Act and allow families to seek just compensation under State and common law. I therefore urge my colleagues to join me in supporting passage of the Airline Disaster Relief Act, a measure whose time has come, to correct the judicial injustices which the application of the Death on the High Seas Act inflicts on families of air disaster passengers. Mr. Speaker, thank you for your consideration and support of this timely and badly needed legislative initiative.

#### CONGRATULATIONS TO 1997 GRADUATES OF SAN PEDRO/NARBONNE COMMUNITY ADULT SCHOOL

### HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 20, 1997*

Ms. HARMAN. Mr. Speaker, I rise today to congratulate the 1997 graduating classes of the San Pedro/Narbonne Community Adult School. I was sorry to miss the ceremonies on Wednesday evening which honored students who successfully met the requirements for ESL competency certificates, eighth grade diplomas, and high school diplomas. I also congratulate principal Camilla Kocol and all the faculty and staff of the San Pedro/Narbonne Community Adult School.

It is my pleasure to share with my colleagues a poem that was written by one of the students of the school's creative writing class. This poem was recited by author and adult