

of 1968, which prohibited discrimination in credit practices. The ESBOA requires the contractor to notify the applicant of the action taken on his or her application within 20 days of receipt of a completed bond application. If the applicant is denied bonding, the surety would also be required, upon request, to provide a written statement of specific reasons for each denied request. Furthermore, the bill would provide civil liability in the form of damages and appropriate equitable relief should a surety company fail to comply with this notice requirement.

This legislation would help all contractors to have a better understanding of the reasons behind the denial of their bond applications. Furthermore, the importance of civil penalties cannot be understated for minority applicants who currently have no recourse when they suspect that the denial of surety bonding was based on considerations such as gender, race, or religion.

The disclosure of pertinent information to rejected applicants is an equitable principle familiar throughout the Federal acquisition process. This is the case when a small business is turned down for a government contract and has the opportunity to demand a negative pre-award survey. With this information, the business can contest the award or use the information to be better prepared for the next award competition. The more a business knows about what is wrong with its proposal, the greater the likelihood that the next time the business will submit a better and more competitive proposal.

According to the National Association of Minority Contractors [NAMC], many minority contractors reported being turned down for a bond without an explanation. When explanations are not proffered, a perception of discrimination in the surety industry is created. This perception drives minority contractors to obtain sureties outside the mainstream, often at significant additional expense and fewer protections, placing themselves, their subcontractors, and the government at greater risk.

Civil penalties in this bill are necessary to compel surety bond companies to provide accurate and nondiscriminatory reasons for denial of surety bonding. This bill will provide the applicant with the necessary civil remedy should the surety bonding company refuse to provide this important information. In addition to providing essential information for future bond applications, a clear response will identify whether surety bonding companies are discriminatory or using fallacious criteria in making these decisions.

This legislation will create an environment in which small business firms, particularly those owned and controlled by minorities and women, can successfully obtain adequate surety bonding. This legislation will enable us to ferret out continuing biases in the industry. I urge my colleagues to support this bill and help abolish the artificial impediments to the development and survival of emerging small businesses.

TRIBUTE TO CALIFORNIA LUTHERAN UNIVERSITY

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 25, 1997

Mr. SHERMAN. Mr. Speaker, I rise before you today to acknowledge the students, faculty and administration at California Lutheran University. This university was recently commended by the John Templeton Foundation in the 1997–1998 Honor Roll for Character Building Colleges.

A panel of six distinguished individuals from various backgrounds evaluated colleges and universities across the country. They used five criteria to determine if the colleges were providing students not only with an environment which allowed them to develop a strong sense of morality and grow spiritually, but also provided students with an opportunity to give back to their community. To be considered for a place on the honor roll, colleges must inspire students to develop and strengthen their moral and reasoning skills, encourage spiritual growth and moral values, provide community building experiences, advocate a drug-free lifestyle and conduct a critical assessment of character-building projects and activities.

The words on the seal of California Lutheran University read "Love of Christ, Truth and Freedom." The faculty at CLU have worked to establish an environment which allows students to reflect on ethical questions and develop their own sense of morality. Christian tradition plays a central role in the students' lives and they are provided with opportunities to attend services, bible studies and social ministry programs. Additionally, students join efforts with faculty and staff to enrich the lives of those less fortunate in the community by working with developmentally disabled individuals, providing clothes for needy children and tutoring disadvantaged minority students.

Leon Blum once wrote, "Life does not give itself to one who tries to keep all its advantages at once. I have often thought morality may perhaps consist solely in the courage of making a choice." Students at California Lutheran University have made a choice that they are willing to make a difference in our community. In making this choice the students have made the welfare of others their top priority.

Mr. Speaker, distinguished colleagues, please join me honoring the students and faculty at this exceptional institution for their integrity of character and commitment to improving the circumstances of those less fortunate in our community.

CARMEN FRANCO TRIMINO'S HEART IS STILL IN CUBA

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 25, 1997

Mr. TORRES. Mr. Speaker, there is no subject which when brought to this floor invokes more passion and hostility than the question of United States-Cuban policy. My colleagues who support the current United States policy of embargo, vehemently denounce any effort

to improve relations between our two nations, until and unless the current President of Cuba departs. Those advocating alternative policies and new relationships with the people and the Government of Cuba, have to face having their integrity, patriotism, and intelligence called into question. My colleagues who defend the current United States policy toward Cuba are loyal and persistent defenders of their beliefs, and yet the anger and fury which they invoke, many times prevents and inhibits an open and free discussion of this important national policy issue. I believe that this institution and this country desperately need an honest, open and fair discussion on the goals, achievements, and impact of our current policy of embargo. As a contribution to this end, I wish to enter into the RECORD, a recently published editorial from the Arizona Republic. This article tells a story about one woman's crusade to bring change, heart, and humanity to our country's policy toward Cuba. Its subject is Carmen Franco Trimino, a successful entrepreneur, whose steel plating and powder coating business has operations in both Arizona and southern California. She is in Washington today, trying to win over some hard hearts in the United States Congress, seeking support for a bill which I introduced, H.R. 1951, the Cuban Humanitarian Trade Act of 1997, which would permit United States trade with Cuba in the areas of foods, medicine, and medical supplies. I urge my colleagues to read Ms. Trimino's story, and I commend her for her valiant and tireless efforts on behalf of both the Cuban and the American people. I would leave my colleagues with a question to ponder which Ms. Trimino raises: "Does our hatred for Castro and his Communist system so blind us that we are willing to allow a humanitarian tragedy of immense proportions to unfold 90 miles off our shores, just in hopes it will overthrow him?"

Mr. Speaker, I believe that the United States is capable of a more enlightened, more humanitarian, more just policy toward the people of Cuba. I urge my colleagues to revisit this issue by reading the following story about Ms. Trimino, and then I urge my colleagues to join with me, and 69 other Members of the House of Representatives, in removing from United States policy the restriction over the sales of foods and medicine to Cuba.

[From the Arizona Republic, Aug. 17, 1997]

U.S. SANCTIONS ARE CRIPPLING HEALTH CARE—PEOPLE, NOT CASTRO, FEEL EFFECTS

(By James Hill)

It has been years since Carmen Franco Trimino moved body and soul to the United States. But her heart is still in Cuba.

A successful entrepreneur, whose steel plating and powder coating business has operations in both Arizona and Southern California, Trimino now devotes much of her time and seemingly all of her energies to win over some pretty hard hearts in the U.S. Congress on an issue that is breaking hers: the part of the U.S. economic embargo against Fidel Castro's regime that has essentially cut off the importation of foods and medicines into her native land.

She's not winning, yet. But she's not losing, either.

This summer, her lobbying paid off when 12 members of the House of Representatives, ranging along the ideological spectrum from Democrats Esteban Torres of California and Charles Rangel of New York to Republicans Jim Leach of Iowa and Ron Paul of Texas, agreed to sponsor a bill that would specifically exempt food and medicines from the

embargo. Since the bill was introduced, 44 other members have signed on as co-sponsors, again representing the range of the ideological spectrum.

The Cuban Humanitarian Trade Act of 1997 would overturn a particularly insidious clause in the Cuban Democracy Act of 1992 that made the importation of foods and medicines technically not illegal, but so bureaucratically complex as to amount to a de facto secondary embargo.

The 1992 legislation was sold as a means of putting the squeeze on Castro and his Communist government after Cuba's long-time patron, the Soviet Union, had collapsed, wiping out more than 70 percent of the island nation's trade. Rather than constricting Castro, whose regime remains as unrepentantly communist as ever, it slowly began to sap the strength of average Cubans.

The Periodo Especial, as Cubans refer to the miserable hand that life has dealt them, strictly rationed everything, from food to gasoline to times when electricity and other utility services are available. Work schedules were altered to account for the breakdown in public transportation facilities, and school days were shortened. Bicycles became a principal way of getting about.

Then Castro pulled another fast one on his Yankee tormentors. He pegged the peso to the U.S. dollar, opened the doors to tourism (but for only a few Americans, thanks to the embargo) and allowed a measure of free enterprise to not only exist, but flourish.

When I accompanied a delegation led by Trimino last November to inspect the effect the embargo was having on health care facilities, I was stunned to find a country that was enjoying a 7 percent growth rate, a building boom in parts of Havana and in regions designated to handle the influx of tourists, and a general sense that the worst of the Periodo Especial, or special period, was over.

Yet, there were plenty of caution flags that it wasn't; indeed, that perhaps the worst was yet to come.

For one, a Foreign Ministry official confided that the 7 percent growth rate was relevant only when one gauged how far Cuba had fallen. Cubans with access to dollars could shop for food in well-stocked markets, including the supermarket once reserved for members of the Soviet diplomatic corps.

But those who were still in the internal economy, where the unofficial peso is little more than script, were at the mercy of the state-run systems, where shelves were empty save for rice and beans.

More telling, however, were my conversations with several doctors and other medical personnel throughout the island. Cubans take great pride in the medical system they built from scratch since Castro came to power in 1959. And discussions would always begin with the typical boasting about what type of services that medical system could provide.

Pressed, however, these practitioners would drop the hyperbole and cut to the chase: The embargo was denying them not only the medicines needed to administer to the sick, but the tools and the educational materials needed to keep up with their practices.

In a major Havana hospital, the lead physician in one ward took me into a room where ambulatory patients were being fed their noon meal, a concoction that appeared to be something near a rice and bean soup. All of the patients received the amount of calories needed for their recovery, he noted even if variety in their diet was lacking. Then he drove home another point: Patients were fed even if the staff had to forgo its minimum daily dietary requirements.

At another major medical center, this time in the southern port of Cienfuegos, the direc-

tor admitted that he feared the outbreak of any epidemic, because the combination of the shortages of antibiotics and the limitations on nutrition would make it impossible for his doctors to put up a fight.

But that was November. Despite the Helms-Burton Act that vows to punish foreign corporations for doing business in Cuba, the re-election of President Clinton held the hope out to Cubans that a warming might be near. Clinton himself had fed this perception by his refusal to sanction the most draconian of Helms-Burton provisions, a decision he reaffirmed this summer.

If the president is squeamish about implementing those provisions, however, his administration has done little else to indicate that it is interested in patching things up, almost four decades since the U.S.-sponsored invasion to topple Castro went disastrously awry at the Bay of Pigs.

Meanwhile, Trimino reports, the situation has become graver, especially in the Oriente, or eastern provinces normally out of sight to tourists. In the provincial city of Holguin, she told of recently visiting with a young girl just out of the hospital who had been treated for severe malnutrition; her daily intake consisted of a biscuit made from sweet potatoes. She had been receiving a liter of yogurt, as a substitute for milk, every four days.

This is something I cannot independently corroborate, although I have no reason to doubt it. While I did not see any starving people during my visit last November, I saw enough too-thin people, especially in the countryside, and emaciated livestock to convince me—the relative prosperity in Havana and other cities notwithstanding—that Cuba could be on the verge of a major health crisis. It might still be. Or worse, it might be sliding into the middle of one, the outcome of which could be too horrific to consider.

The question Americans have to ask is simple. Is this what we want? Does our hatred for Castro and his communist system so blind us that we are willing to allow a humanitarian tragedy of immense proportions to unfold 90 miles off our shores, just in hopes it will overthrow him?

Over his long reign, Fidel Castro has survived numerous American attempts at removal, including those of assassination and the threat (almost to the brink, in fact) of nuclear war. Most experts who follow Cuba say only Castro's naturally appointed date with the Grim Reaper will allow Washington to say it has finally achieved its goal, and all reports are that for a man in his early 70s, he is much healthier (and better fed) than his average countryman.

That is not the point, though, insists Carmen Trimino as she makes her rounds of congressional offices, trying to enlist more representatives to her heartfelt cause. (Not one member of the Arizona delegation has been receptive.)

"It is my people who are facing starvation," she says indignantly.

Perhaps she will win the day. Embargoes are a favored tool of U.S. diplomacy, often in collusion with the United Nations, for use against recalcitrant regimes. Witness the fact that sanctions are being applied not only to Cuba but also in Iraq (where Saddam Hussein is allowed to sell oil to purchase foods and medicines), Libya and Myanmar (Burma). Limited sanctions still are applied to what is left of Yugoslavia (Serbia and Montenegro).

But sanctions are rarely effective. Notice that the strongmen running the governments of the aforementioned countries are all still in power, even if their people are at the point of emotional and physical breakdown. Nor are sanctions even relevant; America's official fascination in maintaining

a dialogue with the butchers of Tiananmen Square, who defiantly continue to keep more than 1 billion Chinese under Communist oppression, has made a mockery of U.S. efforts to use economic measures as a whip against lesser regimes.

Carmen Trimino only wishes that more members of Congress would see in their hearts the futility of denying foods and medicines; the bill she wants the House to consider takes no stand on other parts of the economic embargo. (Perhaps it should; Castro might last, but the communist system would likely collapse upon the rush of American goods). She will keep trying. Her Cuban-American heart is in it.

APPOINTMENT OF CONFEREES ON H.R. 2378, TREASURY, POSTAL SERVICE, AND GENERAL GOV- ERNMENT APPROPRIATIONS ACT 1998

SPEECH OF

HON. MAX SANDLIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 24, 1997

Mr. SANDLIN. Mr. Speaker, I rise today as a founding member of the Missing and Exploited Children's Caucus. I rise as a father of four. I rise as a little league coach and a former county court at law judge. I rise today to say that I support every effort to protect our Nation's children and I support the motion to instruct by the Member from Maryland. As much as any Member on this floor, I support full funding for programs to safeguard, protect, and rescue our missing and exploited children. I cannot vote for the previous question because we should not vote on this motion to instruct conferees in its current form.

I will vote against the previous question because these instructions are incomplete. This motion to instruct should include instructions to adopt the Senate position on the Member of Congress cost of living increase. The Republican leadership has precluded an up or down vote on the Member pay raise, and forced me to vote against the previous question to voice my opposition to the pay increase. I support the motion. I will vote against the previous question not for what is included in the motion, but for what is not included in the motion.

The Member pay raise should be put to a straight vote with an honest, open debate. This Treasury/Postal appropriations bill was rushed through the floor with a rule that denied a vote on the pay raise. Members were denied the opportunity to cast a vote on the pay raise and denied a true forum to voice their opposition to the pay raise. The leadership of this House owe the people of America, the people we are here to serve, an honest debate and an honest vote on the pay raise.

I did not come to Congress to cut spending only when I am not affected by the cut. The American people deserve as much as we can give them. The American people deserve a balanced budget. The American people deserve tax relief. The American people deserve the assurance that Social Security and Medicare will be there to serve them when they retire. The American people deserve the best education this country can offer them.

If we are going to ask all American to sacrifice to balance the budget, we should expect