

MORELLA and a bipartisan group of colleagues to introduce the Civil Rights Procedures Protection Act of 1997. This bill is designed to reassert workers' rights to have their claims of unlawful employment discrimination.

Recently employers and even whole industries have sought to circumvent civil rights laws by forcing employees to sign away the fundamental rights to a court hearing. As a condition of hiring or promotion, a growing number of employers are requiring workers to agree to submit any future claims of job discrimination to binding arbitration panels. This practice, called mandatory arbitration, is engaged in most prominently by the securities industry, but is also increasingly relied upon by employers in information technology, health care, engineering, and other fields. Together, they are reducing civil rights protection to the status of the company car: a perk which can be denied at will.

The U.S. Constitution guarantees every citizen equal justice under law. Forcing employees to choose between their civil rights and their job denies them their right to equal justice. Employees who consent to mandatory arbitration give up their right to due process, trial by jury, the appeals process, and full discovery.

By no means, do I wish to denounce arbitration in general. Voluntary arbitration in an impartial setting can be a fair and inexpensive way to resolve a wide range of disputes. But when it is forcibly imposed on one party with inherently less bargaining power, it ceases to be of value.

Mandatory arbitration of civil rights is wrong even if the arbitration process were a balanced one. But, too often, it has a semblance of impartiality. The securities industry, in particular, has transformed a potentially impartial and independent judicial environment into one where neutrality and independence are virtually nonexistent. A 1994 GAO study of the security industries' arbitration process found that vast majority of securities arbitrators are white men over 60 with little or no expertise in the area of employment law. At best such a setting has the appearance of unfairness; at worst, it is a tainted forum in which an employee can never be guaranteed a truly fair hearing. Like forcing employees to buy goods at the company store, the price of such so-called justice is just too high.

Our legislation would protect the rights of workers to bring claims against their employers in cases of employment discrimination. By amending seven Federal civil rights statutes to make it clear that the powers and procedures provided under those laws are the exclusive ones that apply only when a claim arises, the Civil Rights Procedures Protection Act would prevent discrimination claims from being involuntarily sent to binding arbitration. In short, this bill prevents employers in all industries from forcing employees to give up their right to go to court when they are discriminated against on account of race, sex, religion, disability, or other illegal criteria.

By reinforcing the fundamental rights established under various civil rights and fair employment practice laws, our bill restores integrity to employer-employee relationships. No employer should be permitted to ask workers to check their constitutional and civil rights at the front door.

COMMENDING HON. WARREN CHRISTOPHER FOR EXEMPLARY SERVICE

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1997

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in full support of Senate Concurrent Resolution 4, which recognizes the exemplary service of the Honorable Warren Christopher as Secretary of State.

When Warren Christopher was selected by President Clinton to serve this Nation as its Secretary of State the President could not have had any knowledge of how difficult a job it would be.

The war in the former Yugoslavia was at its height and peace seemed to be an illusive goal that only a few committed individuals believed was truly possible. Secretary Christopher was one of those committed individuals, and because of his personal resolve for peace—the Dayton accord resulted in the people of Bosnia, Croatia, and Serbia living through the last year without war.

The quiet dignity that exudes the persona of Warren Christopher is one that we can all admire. He has been a skilled negotiator when representing the interest of the United States, both here and abroad. He has been tireless in his pursuit of positions that promote peace and better understanding among our allies and advisories.

When Secretary Christopher said, "The end of the cold war has given us an unprecedented opportunity to shape a more secure world of open societies and open markets," he worked to reap those benefits for our Nation.

While Secretary Christopher was managing diplomatic relations with the world's great powers and international institutions he was also creating jobs here in the United States by opening markets abroad.

More than 200 trade agreements over the last 3 years have helped our exports grow by 34 percent since 1993 and created 16 million new jobs. Through Secretary Christopher's efforts in promotion of the North American Free-Trade Agreement, concluding the Uruguay round, and forging the Miami summit commitment to achieve free and open trade in our hemisphere by 2005—and the Asia-Pacific economic cooperation commitment to do the same in the Asia-Pacific by 2020—the United States is positioned to become even more dynamic in the global economy in the 21st century.

He worked tirelessly to provide the peace and security that the American people require by promoting constructive relations with other nations and international institutions.

From the issue of championing NATO's Partnership for Peace, the United States-European Union new transatlantic agenda, and other post-cold-war initiatives have improved European stability and strengthened United States-European economic ties and security cooperation.

With Japan, under Secretary Christopher's leadership, we have signed a security declaration and reached 21 market-opening agreements. Now United States exports to Japan are rising five times as fast as imports.

Warren Christopher has played a critical role in creating constructive relations with Rus-

sia during the transition period of their nuclear weapons arsenal, and the strengthening of vital elements of democratic reforms.

Warren Christopher has served his Nation well as its 63d Secretary of State, and is very deserving of this accolade in the form of a House concurrent resolution.

EXTENDING THE DELTA LOAN PROGRAM

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. FORBES. Mr. Speaker, I rise today to bring to the attention of my colleagues a bill that I introduced to improve the Defense Loan and Technical Assistance Program, known in short as the DELTA Program. I am honored to be joined by Congresswoman CAROLYN MCCARTHY in this effort.

As a former regional administrator of the Small Business Administration, I had the opportunity to see firsthand the correlation between a thriving defense industry and a successful small business community. In the early 1990's, Congress mandated a reduction in overall defense spending. As a result of those cuts, many defense businesses and contractors across the country were forced to terminate thousands of employees, eliminate services, and close down factories. Some parts of the country were hit harder than others. On Long Island we saw the departure of our largest employer, Northrup/Grumman and 30,000 jobs lost. In fact, Long Island's economy is still experiencing a recession and we have yet to recover those lost job opportunities.

That is why as a member of the Appropriations Committee, I worked hard to make the DELTA Program a reality.

Currently, \$30 million is authorized and appropriated for the DELTA Program with the specific purpose of helping defense dependent small businesses to diversify within the commercial market, while at the same time retain and create jobs. Since becoming operational in 1995, the DELTA Program has been a success. As of February 1, 1997, 94 DELTA loans have been made nationwide. I am proud to say that eight of those loans were made by the Long Island SBA office, which makes Long Island the leader in the Northeast region. Initial figures show that the DELTA Program has created more than 400 jobs and more than 700 jobs have been retained. While these are impressive numbers, it is important to note that they are not representative of the success of the program. The results of a SBA survey on the program have not been reported yet. I am confident that the survey results, coupled with SBA's initial figures on job creation and retention, will reveal that the DELTA Program has led to the creation and salvation of thousands of jobs.

No question about it—the DELTA Program is a success. And that is why I introduced legislation to make it more accessible to small businesses. My bill calls for three changes to the existing DELTA Program that will ensure that the \$30 million appropriated will not go unused.

First, my bill extends the life of the DELTA Program 1 year to 1999. If unchanged, the DELTA Program will sunset at the close of fiscal year 1998. If we allow this to happen, all

unused DELTA funds will revert back to the General Treasury. This is a real concern because to date of the \$30 million originally set aside for the DELTA Program, only a little more than \$3 million has been utilized. This means that close to \$27 million is sitting unused at the SBA. I would hate to see that money transferred back to the General Treasury, especially when there are so many small businesses and jobs that hang in the balance.

Second, my bill makes the DELTA Program more accessible to small firms. As the law is written now, in order for a small business to qualify for a DELTA loan a substantial amount, 25 percent to be exact, of its prior year's revenue must be derived from defense-related contracts. However, only a small sector of the defense-dependent small firms can meet this onerous requirement. To fully grasp the impact that the defense spending cuts of the early 1990's had on small companies, it is necessary to look beyond a firm's previous year's revenues. It is too narrow of a measure. Most of the small businesses that relied on defense-related contracts are still reeling from the effects of the defense reductions. Ask any business person and they will tell you that it is impossible to project the impact that a policy change has on small businesses based on just 1 year's operating records.

That is why my legislation expands the eligibility requirement for the DELTA Program. My legislation states that in order to qualify for a DELTA loan a firm must demonstrate that during any one of its 7 preceding operating years, at least 25 percent of its sales were derived from defense-related contracts. This provides a more comprehensive and realistic standard of measure.

Third, my bill increases the loan guaranty rate from 75 to 90 percent. A higher guaranty rate is more attractive to lenders and will enable them to make more DELTA loans.

The last thing I want to see happen is the DELTA Program, a program that Congress has already committed \$30 million to go to waste because Congress was not willing to make it work. My bill does not appropriate any new funds for the DELTA Program; it only fine tunes the existing program to make it more available to small businesses. I cannot stand by and let \$30 million that was appropriated by Congress to help small businesses go unused. If Congress does not amend the existing DELTA loan program that will happen.

ON THE DEDICATION OF THE WILLIAM DAVIDSON GRADUATE SCHOOL OF JEWISH EDUCATION

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me in commending Mr. William Davidson, president and CEO of Guardian Industries Corp. and managing partner of the National Basketball Association's Detroit Pistons Basketball Club, on the dedication today of the William Davidson Graduate School of Jewish Education at the Jewish Theological Seminary of America in New York City. This event is an important milestone in the history of the Jewish Theological Seminary and will ensure that future generations of scholars

have the opportunity to study in one of America's premier centers for Jewish learning.

This new addition to the world's scholarly institutions is only the latest of Bill Davidson's outstanding contributions to the field of education and just another example of his philanthropy. As the founder of the William Davidson Institute at the University of Michigan Business School in Ann Arbor, Bill Davidson endowed an institution whose purpose is to help nations—such as the countries of Central and Eastern Europe and the Republics of the former Soviet Union—make successful transitions from command to market economies. As the founder of the William Davidson Business School at Technion—Israel Institute of Technology in Haifa, Israel, Bill Davidson created the world's first educational institution entirely dedicated to the international management of technology-based companies.

Bill Davidson's commitment to education and the Jewish people has been recognized through the awards bestowed upon him for his service over the years. Among those awards, Bill was the recipient in 1992 of the Fred M. Butzel Memorial Award for Distinguished Community Service, the Jewish Community's highest award for volunteer service. He has served as chairman of the United Jewish Appeal for Detroit and as president of Congregation Sha'arey Zedek. Most recently, he has demonstrated his continuing commitment to Israel through his funding of the William Davidson Community Center in Yavne, Israel, and the restoration of the William Davidson Second Temple Period Archeological Park and Orientation Garden in the city of Jerusalem, Israel.

Mr. Speaker, the dedication of the Davidson Graduate School of Jewish Education is only the latest outstanding accomplishment in a career of philanthropy for education and Jewish causes that knows few rivals. I urge my colleagues to join me in commending Bill Davidson for his vision and commitment to education and the Jewish people.

IN HONOR OF FRANK PAGANO:
FOR DISTINGUISHED SERVICE TO
THE RESIDENTS OF JERSEY
CITY AND BAYONNE

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to a special gentleman, Frank Pagano, who has distinguished himself through his continuous dedication to the residents of my district. Mr. Pagano will be honored by the Bayonne Chapter of UNICO on March 8, 1997, at a black tie dinner dance to be held at the Atrium Restaurant in East Orange, NJ.

Throughout his long career, Mr. Pagano has been a businessman, model citizen, and devoted family man. His entrance into the retail grocery industry came at an early age. In 1929, Mr. Pagano, while still in high school, went to work at Tony Stagno's butcher shop located on the corner of Third and Brunswick Streets in Jersey City. His exemplary work ethic helped him to become proprietor of his own establishment. Never one to miss an opportunity to explore new horizons, Mr. Pagano

added produce, groceries, and a deli to his business in 1949 and became Jersey City's first independent owner of a supermarket. The current location of Mr. Pagano's business, North Street in Bayonne, was opened in 1975 with the assistance of his son Joseph. The new store has been an institution in Bayonne for over 20 years. In 1966, Mr. Pagano was selected Man of the Year by the New Jersey Food Merchants.

Mr. Pagano's commitment to serving his fellow community members extends far beyond his business endeavors. He is a firm believer in the notion that assisting our young people to achieve their full potential is the best way for us to meet the challenges of the future. Mr. Pagano has been actively involved in organizations such as the Hudson County Sierra Club and the Jersey City Boys' Club. He is a member of the Dante Alighieri Society, past president of UNICO of Jersey City, and Alhambra Caravan 8. For his efforts, Mr. Pagano has received numerous awards, including the 1992 Everyday Hero Award, the Devoted Service Award from the Boys and Girls Club of Hudson County, and the Humanitarian Award from the Assumption Catholic War Veterans Post No. 1612.

The core of Mr. Pagano's existence is his family. He has been married to the former Anna Garguillo for 59 years. Mr. and Mrs. Pagano are the proud parents of two sons, Joseph and Neil. Joseph and his wife Charlotte have two children, Ben and Joseph; and Neil and his wife Elaine are the parents of three children Kristen, Stacy, and Stephen.

Mr. Pagano epitomizes excellence in community service, and has had a positive impact on many lives. It is an honor and a pleasure to have such a man residing in my district. I am certain that my colleagues will rise with me and honor this remarkable individual.

FREE THE CLERGY ACT, H.R. 967

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. GILMAN. Mr. Speaker, today, I am introducing the Free The Clergy Act, H.R. 967, a bill that will prohibit visas or U.S. Government sponsorship for Chinese Government officials involved in the repression of religion.

Mr. Speaker, there are hundreds of people serving long prison sentences in China and occupied Tibet for practicing their religious faith. Let me repeat that for my colleagues; hundreds of people, Catholics, Protestants, and Buddhists are spending many years of their lives in prison for following religious practices. Unfortunately, the situation is getting worse.

According to a report released by Human Rights Watch/Asia:

The Chinese government is subjecting unauthorized Catholic and Protestant groups to intensifying harassment and persecution * * *

During the last two years, the Chinese government broadened its drive to crush all forms of dissent * * * all religious believers, and especially Christians, are seen as potential security risks. * * *

How does Beijing repress religious practitioners? The Communist government sentences a 76-year-old Protestant leader to 15