

TRIBUTE TO BENJAMIN AND VERONICA DEPHILLIPS ON THEIR 50TH WEDDING ANNIVERSARY

**HON. WILLIAM O. LIPINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 20, 1997*

Mr. LIPINSKI. Mr. Speaker, I rise today to honor and congratulate Benjamin and Veronica DePhillips on their 50 years of marriage. Benjamin and Veronica DePhillips are constituents of mine from Chicago, IL.

On June 15, 1947, Benjamin and Veronica took their vows at Five Holy Martyrs in Chicago, IL. This June marks 50 years of sharing their lives, dreams, work, struggles, and commitment to each other. The DePhillips were blessed with four fine children: Russell, Brian, Tina, and Kevin. Also, Benjamin and Veronica are the proud grandparents of two wonderful grandchildren, Danielle and Christopher.

The DePhillips have been members of the 23d ward for over 44 years. Now retired, Mrs. DePhillips worked at the Park District and Mr. DePhillips worked at the Department of Transportation in Illinois. Their devotion to the community and to each other is evident.

Mr. Speaker, the occasion of a 50-year wedding anniversary is truly worthy of a great celebration and I am pleased to offer my most hearty congratulations to the DePhillips on the occasion of their 50th wedding anniversary.

IN RECOGNITION OF NATIONAL MARITIME DAY

**HON. GARY L. ACKERMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 20, 1997*

Mr. ACKERMAN. Mr. Speaker, I rise today to pay tribute to the gallant men who served in World War II in the United States Maritime Service. One of my constituents, Sol Axelrod, who himself is a veteran, wrote a poem, which he feels tells the true story of our merchant seamen.

At this time, I wish to share this fine poem with my colleagues:

SEA GOING AMERICAN PATRIOTS OF WORLD WAR II

(By Sol Axelrod)

The Merchant Seamen and the Navy Armed Guard  
Fought valiantly with the help of God.  
These brave lads brought soldiers to fight  
When men were wanted at a combat site.  
It was never easy or even routine  
To sail the waters where death reigned supreme.

They roamed this world with cargo intact,  
Even mindful of any enemy attack.  
When supplies were needed, without delay,  
They were delivered by night and by day.  
As the battles turned hot,  
Some got through, many did not.  
Heroes all, in death as in life,  
Doing their duty in time of strife.

Mr. Speaker, it is my privilege and distinct honor to bring this dedication and recognition to the attention of the House of Representatives. I ask all my colleagues to join me in saluting our Merchant Seamen whose role in World War II was vital to all of our troops, and

in applauding the commitment and talent of my constituent, Sol Axelrod.

THE RIEGLE-NEAL CLARIFICATION ACT OF 1997

**HON. JOHN D. DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 20, 1997*

Mr. DINGELL. Mr. Speaker, I rise today to bring to the attention of the Congress and the Nation the concerns of the National Conference of State Legislatures with regard to H.R. 1306, the Riegle-Neal Clarification Act of 1997, which the House will consider today under suspension of the rules. H.R. 1306 was introduced on April 10, 1997, and referred to the Banking Committee where it was approved by voice vote in subcommittee with no full committee markup. As the NCSL letter notes, this legislation would negatively affect the ability of State legislatures to regulate the sale of the insurance products when those sales are conducted through banks. As most Members are aware, the Comptroller of the Currency presently is considering whether to preempt a statute enacted by the State of Rhode Island. I am inserting in the RECORD copies of the NCSL letter and the comment letter I signed with 11 other House colleagues critical of the OCC proposal. We have been afforded insufficient time and process to consider the negative implications of H.R. 1306 on consumer protection and fair competition. I remain concerned about these issues and trust that our Senate colleagues will address these matters with more deliberation than has the House.

NATIONAL CONFERENCE OF STATE LEGISLATURES

*May 16, 1997.*

Hon. JOHN D. DINGELL,  
*House of Representatives, Rayburn House Office Building, Washington, DC.*

DEAR REPRESENTATIVE DINGELL: We write to you today to reiterate the concerns of the National Conference of State Legislatures with regard to H.R. 1306, the "Riegle-Neal Clarification Act of 1997," which will be considered on Suspension Calendar during the week of May 19th. You may have heard from certain sources that NCSL had withdrawn its opposition to H.R. 1306. We want to make clear that this is simply not true.

The National Conference of State Legislatures has long been a proponent of our nation's dual banking system and the benefits of that system to our nation's financial well being. In recognition of the advantages of the dual banking system to the public and to the health of the financial services industry, NCSL historically has opposed any efforts by the federal government to restrict state authority to charter, supervise or regulate the powers of state-chartered banks and thrifts. For this reason we must oppose H.R. 1306. The legislation would alter the intent of Congress as embodied in the Riegle-Neal Interstate Banking and Branching Efficiency Act of 1994, which set specific parameters for the branching of state chartered banks across state lines. For the 45 state legislatures which voted to "opt-in" to interstate bank branching, this would significantly change the ground rules which they accepted in allowing their states to host branches of banks from another state.

Let us provide one example of the impact of H.R. 1306 on the authority of state legislatures. The Rhode Island General Assembly

has passed legislation which sets the requirements that all banks must follow in the sale of insurance products. At present the Office of the Comptroller of the Currency (OCC) is considering preempting this legislation's applicability to national banks. Should this happen, under H.R. 1306, the Rhode Island statute would not apply to branches of state-chartered banks from other states doing business in the State of Rhode Island. The Rhode Island law would only apply to those state banks chartered in Rhode Island. This would cause an unfair competitive disadvantage for Rhode Island state banks and thus limit the ability of state legislative authority. It does not take any stretch of the imagination to understand that should H.R. 1306 be enacted in its present form the OCC will soon be the sole arbiter of banking law and regulation.

As state legislators we are as concerned about the financial viability of our state banking systems, as are state banking supervisors and governors. We are well aware of the enormous contributions that state banks have made to the economic vitality of our states and we seek to continue working with our states' governors to ensure the viability of the dual banking system. However, we must also be concerned that state chartered banks which have no desire to branch across state lines are not placed at a competitive disadvantage. Of the over 7,000 state chartered banks, less than 30% have assets over \$100 million and therefore are not likely candidates to branch across state lines. Most state banks are small community banks which have well served our nation's cities and rural areas and have been the economic backbone of our country for over one hundred years. They are the banks which have responded time and time again to our communities economic needs. They have no desire to become a multinational financial giant, branching from coast to coast. As elected state officials we have an obligation to these smaller community states banks and their customers that efforts such as H.R. 1306, geared to the top 30% of state banks, do not place unfair burdens on the vast majority of our state banking industry.

During the mark-up by the Subcommittee on Financial Institutions and Consumer Credit, NCSL offered reasonable amendments to the legislation which would have provided sufficient accountability to host state legislatures and most importantly its citizens. Unfortunately, the Subcommittee did not accept our changes. Therefore, we must once again declare our opposition to H.R. 1306. We respectfully request that you abide by the commitment made by a previous Congress and we would ask that until some accountability is restored to the host state, you vote no on H.R. 1306.

Thank you for this opportunity to make clear NCSL's position on this important legislation.

Sincerely,

BILL SCHROEDER,  
Senate Majority  
Chairman—Colorado, Vice Chair,  
NCSL Commerce &  
Communications  
Committee.

MYRA JONES  
Chair, House City,  
County & Local Affairs—Arkansas,  
Vice Chair, NCSL  
Commerce & Communications  
Committee.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON COMMERCE,  
Washington, DC, February 6, 1997.  
Re Docket No. 97-01, 62 FR 1950 (January 14,  
1997) Preemption Determination.

Hon. EUGENE A. LUDWIG,  
Comptroller of the Currency,  
Washington, DC.

DEAR COMPTROLLER LUDWIG: We are writing in response to the above-referenced request for written comments on whether the "Financial Institution Insurance Sales Act," recently enacted by the State of Rhode Island, should be preempted by Section 92 of the National Bank Act.

The Act does not prevent banks from selling insurance. The Rhode Island State legislature passed this Act to remove Rhode Island's statutory ban on the sale of insurance by state-chartered banks. The legislation also is a valid exercise of that State's right to regulate the business of insurance by protecting consumers from unfair trade practices and providing a level playing field for all sellers of insurance products. For example, section 6 of the bill prohibits the illegal tying of the sale of an insurance product to the extension of credit and section 7 of the bill requires disclosure to consumers that an insurance product is not a deposit and is not federally insured. This legislation is the result of extensive negotiations with representatives of Rhode Island's federally-chartered and state-chartered banks.

The public has a substantial interest in the continued functional regulation of insurance by the States, regardless of who is conducting the activities. We support the principles of State's rights, functional regulation, and fair and reasonable consumer protection. We support the Rhode Island law and believe that it meets the standard established by the decision in *Barnett Bank v. Nelson* 116 S.Ct. 1103 (1996).

The Act authorizes the Department of Business Regulation's commissioner of banking to promulgate regulations to implement the sale of insurance under the Act and "to ensure the safety and soundness of the banking and insurance business." Your notice and request for comment makes no mention of the implementing regulations drafted by the Rhode Island Department of Business Regulation and that are pending a February 10, 1997 hearing before that Department and possible further revisions before finalization. As legislators we are outraged at your efforts to usurp the authority and subvert the processes of an elected State legislature that is engaged in valid lawmaking.

We strongly urge you not to act to preempt the Rhode Island Financial Institution Insurance Sales Act.

Sincerely,

John D. Dingell, Tim Holden, Earl Pomeroy, Bobby Rush, Collin C. Peterson, David Minge, Edward J. Markey, John S. Tanner, Gary Condit, Ron Klink, Anna G. Eshoo, Gene Green.

NATIONAL ORGANIZATION OF  
WOMEN HONORS SEVEN

**HON. NITA M. LOWEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1997

Mrs. LOWEY. Mr. Speaker, I rise to honor the accomplishments of seven outstanding women who exemplify the best that the legal profession has to offer. These women will be honored next week by the New York City National Organization for Women because they

have displayed the intelligence and perseverance that is absolutely essential to be a successful attorney, and possess an unwavering dedication to advancing the rights of women in society.

Janet Benshoof is one of the premier experts on reproductive rights and privacy law in America. As the founder and president of the Center for Reproductive Law and Policy, she had been involved in most of the landmark Supreme Court cases involving reproductive rights. Ms. Benshoof had been previously honored by the MacArthur Foundation Fellowship and by the National Law Journal as 1 of the 100 most influential lawyers in America.

Sylvia Law is the Elizabeth Dollard professor of law, medicine and psychiatry and co-director of the Arthur Garfield Hays Program at New York University Law School. She has been involved with many landmark cases, including *Goldberg versus Kelly*, in which the Supreme Court recognized that welfare is an entitlement that cannot be discontinued without reason or an opportunity to protest. She is also the author of several books and articles on jurisprudence, welfare, and health care policy.

Donna Lieberman is founder and director of the New York Civil Liberties Union's reproductive rights project, and one of the leaders of the New York pro-choice movement. She has broadened the base of the reproductive rights movement, linking reproductive rights with the issues of HIV/AIDS prevention, gender equity, and education.

Elizabeth Mason has gained national recognition in her representation of victims of sexual harassment and violence in the workplace. Elizabeth has been instrumental in drafting legislation to guarantee an employee's right to seek relief against an employer if she is sexually assaulted in the workplace.

Valorie Vojdik argued the groundbreaking Supreme Court decision that overturned the 152-year-old male-only admission policy at the Citadel. In that case she won the opportunity for women to obtain an undergraduate, military-style education. Ms. Vojdik is an expert on sexual discrimination and supervised the NYU sexual harassment law clinic.

As the U.S. attorney for the southern district of New York, Mary Jo White is a preeminent role model for women. Under her leadership, the U.S. attorney's office has prosecuted large-scale securities and financial frauds, other white collar offenses, international terrorism, money laundering, official corruption, organized crime, and drug trafficking. Her leadership has led to the dismantling of some of the largest and most violent gangs in New York.

Patricia J. Williams is an internationally renowned expert on race relations and women's studies. She is a professor at the Columbia University School of Law and the author of a number of books, including "The Alchemy of Race and Rights: Diary of a Law Professor." She wrote an amicus brief in support of planned parenthood in the Supreme Court case of *Planned Parenthood versus Casey*.

Mr. Speaker, these seven women together have changed the course of the women's rights movement in America. Almost every woman in America has benefited from their actions. I am truly honored to recognize their accomplishments in the U.S. House of Representatives.

HONORING THE TRI-STATE CHRISTIAN DAY CARE AND PRESCHOOL CENTER

**HON. ROBERT W. NEY**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1997

Mr. NEY. Mr. Speaker, I rise today to recognize the Tri-State Christian Day Care and Preschool Center in St. Clairsville, OH, on the occasion of their first child care appreciation ceremony as part of National Child Care Week in March.

The teachers and child care providers, under the direction of Pastor E. Keith Stevens and Administrator Connie Patton, are dedicated to providing a caring, learning environment for the many children who attend the Tri-State Christian Day Care Center. Today, there are many demands and responsibilities parents must balance while raising their children, and it is often necessary for both mothers and fathers to work to support their homes and their families. It is comforting for parents to know that their children are safe and being cared for by dedicated teachers, volunteers, and aides.

The Tri-State Christian Day Care and Preschool Center plays an important role in the lives of their students and the children who attend their day care center. The teachers and volunteers at Tri-State share a commitment to the child care ministry and to teaching God's word to the children who attend the day care and preschool center. As a parent, I am thankful that there are facilities like Tri-State Christian Day Care and Preschool Center which provide this important service to families and children.

I would like to thank the Tri-State Christian Day Care and Preschool Center for inviting me to attend their first child care appreciation ceremony and see the excellent services they provide for Ohio Valley families. I ask my colleagues to join me in recognizing Tri-State, and child care centers like Tri-State, that are helping families by providing a caring atmosphere for children to learn and grow. I wish them continued success.

IS COSCO STRATEGIC THREAT

**HON. GERALD B.H. SOLOMON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1997

Mr. SOLOMON. Mr. Speaker, does the possible presence of the Chinese Ocean Shipping Co. [Cosco] in an American port represent a strategic threat to United States interests?

That is what I've asked Navy Secretary John Dalton to determine. Given the efforts of the People's Republic of China to manipulate American elections, given the PRC's success in securing ports on both sides of the Panama Canal, given the continued absences of human rights in China and the continued trade deficits we face with that country, I believe it is a fair question and one that we are obliged to ask as Members of Congress.

I place in today's RECORD a recent Washington Times story explaining, if such an explanation were necessary, why America should be concerned with the proposal to give