

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 PRE-SCHOOL 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 Pre-school 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 Pre-school 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

China the former Navy base at Long Beach, and the unseemly help by the Clinton administration in facilitating the deal.

[From the Washington Times]

SOLOMON: IS COSCO "STRATEGIC THREAT?"

LONG BEACH DEAL TRIGGERS CONCERN

(By Rowan Scarborough)

A senior House Republican yesterday asked Navy Secretary John H. Dalton to report whether the Chinese Ocean Shipping Co. (Cosco) represents a "global tactical or strategic threat" to the Navy.

The effort by Rep. Gerald B.H. Solomon, chairman of the House Rules Committee, to force the Navy to make an assessment is the latest development in a campaign to block Cosco from taking over the abandoned Long Beach Naval Station in California.

"In order to understand the magnitude of the growing threat of the PRC [People's Republic of China], I would like you to state the U.S. Navy's position on [Cosco]," Mr. Solomon, New York Republican, wrote in a one-page letter to Mr. Dalton.

"Considering their potential world-wide information gathering capabilities, a history as the delivery system of weapons of mass destruction to terrorist countries and the size of this fleet under direct control of the communist regime—does Cosco pose a potential global tactical or strategic threat against the U.S. Navy?"

The Solomon letter represents a more specific question for the Navy. Before, congressional inquiries have centered on whether Cosco at Long Beach would be a regional threat. The congressman wants to know if Cosco, and its 600-ship fleet, poses a danger to the Navy itself.

Mr. Solomon was one of the first in Congress to speak out against the Chinese-Long Beach connection.

"This is almost a caricature of Lenin's prediction that the West will hand the rope to its Communist executioners," he said March 10. "The Clinton administration seems to be going out of its way to help the most serious threat to American security, the so-called People's Republic of China."

Cosco plans to lease 144 acres to operate a large container terminal, giving Beijing an important beach-head in making Cosco one of the world's largest carriers.

Lawmakers in recent weeks have emerged from closed-door intelligence briefings with conflicting interpretations.

Conservatives who oppose the deal say the intelligence shows Cosco is a tool of the Chinese People's Liberation Army, trafficking in weapons of mass destruction to known terrorist states such as Iran.

But local Long Beach legislators say the briefings show Cosco is not a threat.

President Clinton personally backed the city of Long Beach's overture to Cosco, after a commission had targeted the station for closure as part of armed forces downsizing.

The negotiations occurred at a time China is suspected of funneling millions of dollars in illegal campaign contributions into the United States in a government-sponsored operation to influence the 1996 election.

Some Republicans wonder if there is a connection between Cosco's expansion plans and the Democratic fund-raising scandal.

Reps. Duncan Hunter and Randy "Duke" Cunningham, both California Republicans, want to stop the Cosco-Long Beach marriage through legislation attached to the 1998 defense authorization bill. The House National Security Committee is scheduled to write the bill next month.

However, the Cosco transaction may die before the Navy officially transfers the property to the city's Harbor Commission.

A coalition of conservationists and history buffs have filed suit to stop the project,

which calls for leveling every naval station building.

A judge in Los Angeles has ordered the city to terminate the Cosco lease and re-evaluate the plan's environmental impact.

The New York Times reported yesterday that Clinton appointee, Dorothy Robyn, in November urged the preservationists to abandon their effort to save any buildings.

Miss Robyn, who serves on the National Economic Council, told the paper she made the calls as a favor to Long Beach's mayor. She said she had no contacts with Cosco officials.

Meanwhile, Sen. John McCain, Arizona Republican, has asked the Federal Maritime Commission to report whether Cosco is guilty of predatory pricing.

NATIONAL PEACE OFFICERS MEMORIAL DAY

HON. THOMAS W. EWING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1997

Mr. EWING. Mr. Speaker, on May 15, 1997, hundreds of law enforcement officers from across the country came together at the U.S. Capitol to honor slain law enforcement officers on Peace Officers Memorial Day.

Last Thursday we paused to pay tribute to those who have lost their lives in service to the Nation as law enforcement officers. One hundred and fifteen officers were killed 1996. Among these fallen heroes was a 26-year-old officer from the 15th Congressional District of Illinois.

On October 17, 1996, Officer Anthony Samfay of the Kankakee Police Department was shot and killed while conducting a routine traffic stop on a vehicle at Fair and Greenwood Avenue in Kankakee.

Officer Samfay said the only job he ever wanted was to be a police officer. It is with much honor that I pay my respect to Officer Samfay, his mother, the other fallen heroes, and all law enforcement officers who put their lives on the line every day to help protect and serve America.

MEMORIAL DAY

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1997

Mr. HOYER. Mr. Speaker, I rise today in tribute, to the millions of men and women who have served this Nation in its Armed Forces. Call it by any name you wish, Remembrance Day, Decoration Day, Memorial Day. It is a time when this country recounts the price for the liberty and freedom it enjoys today. That cost was paid for in the numerous lives and countless sacrifices given to it, by the servicemen and women of this country. The courage and devotion they expressed are the finest example by which all Americans must measure themselves. It is their sense of responsibility and duty that has tied them to all the generations of Americans, past and present, who have answered their country's call to service.

Who are these extraordinary people who have made such a difference in our lives? they are not the sons and daughters of kings

or emperors but the hard working farm boys of the heartland, who sat in the muddy trenches of Europe in World War I. They are the former store clerks and factory workers who withstood the crushing siege of Bastogne in World War II. They are the courageous men and women who fought to stem the tide of communism along the 38th parallel in Korea. They are the devoted servicemen and women who fought in the steamy jungles and rice paddies of Vietnam. In our own decade they have been our own sons and daughters and in some circumstances our grandchildren who marched off to the desert to liberate the country of Kuwait.

How does one thank these men and women who have suffered so much that many could live in freedom? Mr. Speaker the debt of gratitude we owe is immeasurable. These men and women, whose deeds and stories are countless, are the reason why this country has been able to remain a shining example of freedom and democracy for the world. To merely say thank you is not enough. This country's continued support for its veterans must be a priority. The words of the Secretary of Veterans Affairs, Jesse Brown, ring strongly: "I believe a Nation is judged by the way it treats its Veterans." It is this thought that we must bear in mind when issues arise in the Congress that may impact the veterans of this country.

To ignore these issues is to do our veterans and their families a great disservice. Their sacrifice and commitment must be equally reflected in our effort to pay a debt that can never be monetarily repaid. Mr. Speaker, what price can you put on the life of a citizen who is willing to pay the ultimate sacrifice for his or her country in a time of war or national peril?

It is fitting that on this occasion we reaffirm our support and gratitude to this special group of Americans whose devotion to duty was expressed in the highest manner. By their willingness to lay down their life for this Nation, they have assured the security and future for generation of Americans to come.

Mr. Speaker, it gives me great pleasure and honor to express my deep and heartfelt gratitude for the service of America's veterans. Call this day by what ever name you choose, it is a memorial to all the generations of men and women who have served this Nation and upheld its finest traditions of liberty and democracy. God bless our veterans.

HONORING THE BELLAIRE LIONS CLUB ON THE 50TH ANNIVERSARY OF THEIR CHARTER

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1997

Mr. NEY. Mr. Speaker, I rise today to congratulate the Bellaire Lions Club which will be celebrating the 50th anniversary of their charter on May 21, 1997.

The Bellaire Lions Club was chartered in district 13-G on May 21, 1947, with 24 original members. The district's motto is "Positive growth through teamwork," and the club is asked "to encourage service-minded men and women to serve their community." The Lions Club in Bellaire, OH, has exemplified this motto through 50 years of support and service