

Over the past 30 years, Bernie has also been a loyal and faithful Democrat. He's not only served as chairman of the town committee, but several times worked as cocoordinator of Congresswoman BARBARA KENNELLY's election campaign. Most of all, he's been an invaluable asset in energizing and registering Democratic voters.

The fact is, public servants like Bernard Neville serve as the backbone of our democracy. They don't receive much attention, but they are truly an essential element of our representative government.

You don't often see them on Sunday talk shows or on the front page of the New York Times, Washington Post, or Hartford Courant. They're not much interested in partisanship or political maneuvering. But, on a local level they ensure that public services are provided and local tax dollars are spent wisely.

For the past 25 years, Bernie ensured that town elections ran smoothly, citizen petitions and lawsuits were filed correctly, local funds were shrewdly invested and Cromwell's government was working for the benefit of its citizens. In that time, he's done his job with professionalism, integrity, and a strong commitment to serving the people of Cromwell.

I congratulate and thank him for his efforts.

I am also pleased to note that even at 83 years young, he plans to continue working toward his degree at Trinity College, where he is majoring in history. I wish Bernie the best of luck in all his future endeavors and congratulate him again on this wonderful honor.●

#### TRIBUTE TO GERALDINE DEFANT

● Mr. LEVIN. Mr. President, I rise today to honor my good friend Geraldine DeFant, a visionary leader, who recently passed away. In her 79 years, she worked tirelessly to help others, especially her fellow citizens of Michigan's Upper Peninsula. Her accomplishments have established her as a legend among Upper Peninsula labor, political, and social leaders. She came to Marquette County in 1949 to organize the employees of the H.W. Gossard factory in Ishpeming for the International Ladies Garment Workers Union. She guided the women employees of the factory through a landmark strike that energized the local labor movement and was the first strike in the Upper Peninsula at a plant with primarily women workers. The organization of this plant had wage implications for union plants throughout the Nation. In addition to organizing the union at this plant, she established a kitchen and strike fund for them and classes on labor history. This was only the beginning of her efforts to improve the lives of workers and their families in the area.

Geri was also a longtime activist in the Democratic party, serving as dis-

trict chair, and coordinating campaigns from the local to the national levels. One of her proudest achievements was serving as Upper Peninsula Representative for U.S. Senator Phil Hart, who was renowned as the "conscience of the Senate." She continued her service in Senator Don Riegle's U.P. office. From 1982 to 1991 she served on the Marquette County Board of Commissioners where she fought for economic development, mental health and services for seniors. She served on the Michigan Women's Commission for 6 years, during which time she pioneered legislation that allowed the Friend of the Court's office to garnish wages for child support. Most of our Nation now has similar legislation.

Geri was a founder and longtime board member of the Marquette Women's Center. She continued her interest in and support of labor issues and was inducted into the U.P. Labor Hall of Fame this past September for her many efforts. She was deeply committed to equality and justice. Geri was also a friend, mentor, and role-model to countless people over the years.

Geri's family was always very important to her and a source of joy and pride. She was married to Probate Judge Michael DeFant from 1952 until his death. They had three children, David, Dan, and Miriam, who survive her. Her warmth, humor, and dedication will be greatly missed by those of us who had the privilege to know Geri. I know my Senate colleagues join me in honoring this exceptional woman.●

#### "DISECTING THE JONES ACT"

● Mr. INOUE. Mr. President, I rise today to call the attention of my colleagues to an excellent article by Warren Dean that appeared in the March 11, 1997 edition of the Journal of Commerce, which so eloquently states the reasons why it would be foolish to weaken or repeal the Jones Act.

I am a longstanding supporter of the Jones Act and of the American-flag Merchant Marine. But it is important for those Members who are less familiar with the Merchant Marine to consider Mr. Dean's article. Mr. Dean is a senior partner in a Washington law firm, and an adjunct professor of transportation law at Georgetown University Law Center.

In his column, Mr. Dean spells out clearly and succinctly the reasons America stands to lose if foreign-flag ships and foreign crews are allowed to take over our domestic waterborne commerce, and why it would be unfair not only to America's maritime industry but also to our trucking, rail, and pipeline industries as well. If the Jones Act is eliminated, all these industries would have to abide by U.S. laws and regulations, and pay U.S. taxes, while their foreign competitors in our Nation's domestic market would not. Those who claim they want to deregulate domestic shipping and reform the

Jones Act would do well to read this article. It explains just how poorly thought out and unfair such actions would be.

Mr. President, I request that the full text of the article be printed in the RECORD.

The article follows:

#### DISSECTING THE JONES ACT

(By Warren L. Dean)

Congress is facing an old and tired issue this year—the Jones Act Reform Coalition's clamor to "deregulate" domestic deep-water transportation services by repealing the Jones Act. This putative controversy speaks volumes about how poorly Washington understands what it is doing.

The Jones Act reserves for qualified U.S. corporations the right to carry domestic waterborne cargoes of the United States. The coalition wants to allow foreign-flag vessels to carry cargoes between points in the United States, such as New York and Miami. Those vessels, however, do not operate subject to U.S. law—and would not, under the coalition's proposals.

In an effort to keep the Jones Act Reform Coalition from wasting its members' money, and to help the U.S. government understand the difference between trade in goods and trade in services, I will offer a few thoughts.

First, the Jones Act regulates domestic transportation services. Companies in those industries pay U.S. income and excise taxes, employ workers who pay taxes, comply with fair labor standards and other employment laws, meet environmental and safety requirements and face tort and other liabilities.

Foreign companies that get involved in U.S. markets usually do so through U.S. affiliates established for that purpose. What the reform coalition is pushing, however, is permission for foreign flag-of-convenience operators to participate in domestic interstate commerce, while taking a pass on as many of the laws applicable to domestic commerce as possible.

Just repealing the Jones Act won't do the job, however. What the Jones Act reform coalition is really advocating is a repeal of a variety of U.S. tax and labor laws that are at the heart of the U.S. economy.

Under international law, the applicable law on a vessel is that of the ship's registry. So, for example, to allow foreign seamen working for foreign-flag operators to work in U.S. interstate transportation, we would have to waive our tax, immigration, minimum wage, collective bargaining, workplace safety and unemployment laws, among others. We would have to pre-empt state laws in these areas as well.

Admittedly, some laws—particularly in the environmental area—currently apply to both U.S. and foreign-flag vessels, and would continue to do so under the coalition's proposal. But what's really going on here is that the coalition is out to create a whole new list of economic preferences—in effect, subsidies—for foreign-flag vessels to "compete" in our domestic commerce.

The only reason that other domestic transportation industries have not yet objected to this nonsense is that they aren't persuaded that anyone in Washington is that stupid.

Their confidence may be misplaced. There actually is a federal agency that spent taxpayer's money to publish a report in 1993 proving that it doesn't have the foggiest idea where its money comes from. It's the U.S. International Trade Commission, which investigates allegations of damage to U.S. industries caused by trade.

The ITC report estimated that "the economy-wide effect of removing the Jones Act is an economic welfare gain to the economy of

approximately \$3.1 billion." The ITC's main source for this conclusion was its own 1991 study that found the 1989 cost to the economy of the Jones Act ranged from \$3.6 billion to \$9.8 billion.

The ITC staff developed these estimates by figuring the difference between U.S. and world shipping rates, and saying the higher U.S. costs are a sort of "tariff" charged to shippers using Jones Act vessels.

But the flaw in the ITC's analysis is that it took the rates charged by foreign-flag operators using "flag of convenience" registry in countries such as Panama, Liberia or the Bahamas. Those nations have either non-existent or very low rates of taxation and regulation.

The ITC then concluded that shippers could obtain world-rate savings in the waterborne domestic commerce of the United States by allowing in competitors who are free of the burdens of U.S. taxation and regulation, and who could compete with land and air modes of transportation that are subject to U.S. regulation and taxation. That premise is, of course, fatally flawed as a matter of law and policy.

The ITC doesn't understand the difference between importing shoes and importing transportation services. With shoes, the producer's costs, including associated tax and regulatory burdens, are incurred in the exporting state.

With most services, the producer's costs, including associated tax and regulatory burdens, are incurred in the importing state. But the reform coalition wants to change that with respect to domestic maritime transportation, and preserve the law of the flag of registry.

The reason is simple: If U.S. tax and regulatory costs were extended to all competitors in domestic trades, whether U.S. or foreign flag, then the savings to shippers from repealing the Jones Act would range from \$0 to nearly \$0—setting aside the separate cost of building vessels in U.S. yards.

There's not much fuel for reform there.●

#### TRIBUTE TO RICHARD MORGAN ON BEING NAMED THE CENTER OSSISPEE CITIZEN OF THE YEAR

● Mr. SMITH of New Hampshire. Mr. President, I rise today to congratulate Richard Morgan, chief of police of Ossipee, NH, on being named the Center Ossipee's Citizen of the Year. I commend his outstanding community involvement, and congratulate him on this well-deserved honor.

Richard's commitment to his community is outstanding. He volunteers as a community member of the Domestic Violence Committee, as a moderator for the Central Ossipee's Fire Precinct, and as a community member on the board for Lakeview Neurorehabilitation Center. Richard also volunteered to chair the annual Ossipee Old Home Week. He is a Carroll County representative to executive board of New Hampshire Association Chiefs of Police, and president of the Carroll County Chiefs of Police.

Many know Richard as always willing to take responsibility, whether to chair the Ossipee Rescue Advisory Board, help organize and run the first annual winter carnival, or organize the annual fishing derby, and Safe Haven Homes for kids in town. Whatever he commits to, he always does the job well.

Richard has dedicated his time, talent, and energy to serving the residents of Ossipee in an exemplary way.

As a fellow Carroll County resident, I am proud to honor Richard Morgan's outstanding community commitment which is so important to the future and prosperity of Center Ossipee. We are indeed indebted to him for his efforts. Congratulations to Richard on this distinguished recognition. I am honored to represent him in the U.S. Senate.●

#### JACK THOMPSON

● Mr. LEVIN. Mr. President, I rise today to pay tribute to a constituent, a friend, a leader, and a great American. Jack Thompson recently retired from the Monroe Auto Equipment Co. in Michigan after a long and legendary career that is the embodiment of the American dream.

Jack started working at Ford Motor Co. in 1957. He later rose from the factory floor to lead a billion-dollar automotive supply company. Along the way, Jack demonstrated what it is to be not only a great leader, but a great human being. Jack's respect for the people working the floor drove his manufacturing philosophy throughout his career. His experiences gave him a lifelong respect and admiration for these workers, who are the keystone of success for any company.

Jack never measured success by a better title, a bigger office, or higher profits. Jack's success was measured by the success of his workers, whom he continuously cheered on and challenged. He has always been his workers' biggest champion. A telling example of Jack's leadership qualities came in 1986 when Jack received the Monroe Management Club's first Manager of the Year Award. Voted by Jack's subordinates, peers, and superiors, the award recognized his excellence in not only what he accomplished, but also how he accomplished it.

Twenty years ago, Jack put together a 10-point operating philosophy that he used and taught others. The first point on that list says a lot about how Jack approached business and life. It simply said, "be completely honest." That's just one of the qualities that have made Jack a shining example to his workers, friends, and neighbors.

I know my Senate colleagues join me in honoring Jack Thompson on his outstanding career.●

#### MUSEUM OF AFRICAN AMERICAN HISTORY

● Mr. LEVIN. Mr. President, I would like to make my colleagues aware of an important event taking place in my home city of Detroit, MI—the opening of the new Museum of African-American History. The museum is unique in its size, scope and mission.

Located in Detroit's Cultural Center, the 120,000 square foot Museum of African-American History is the largest museum in the Nation dedicated to

documenting and celebrating the African-American experience. It is led by Kimberley Camp, who was the first African-American gallery director in the history of the Smithsonian Institute. Under Dr. Camp's leadership, the museum is poised to become a destination for tourists and researchers from around the country. The Detroit News recently reported that, "Camp wants every visitor's experience to be personal. Some may be moved by the reality of slave sleeping quarters and pieces of a slave ship. Others may be enchanted by an exhibit on quilting, an African-American tradition. Still others may appreciate an Africa exhibit that opens in June, exploring the continent's diversity."

The museum was designed by prominent Detroit architects Howard Sims and Harold Varner, of Sims-Varner and Associates, Inc. Using contemporary building materials, Mr. Sims and Mr. Varner created a building thoroughly American in design, but with significant accents which evoke African culture and traditions. Two Detroit artists, Richard Bennett and Hubert Massey, created the most striking of these accents. Mr. Bennett's massive African-style masks adorn the facade above the bronze front doors, which he also created. Mr. Massey's terrazzo tile mosaic, "Genealogy," is interwoven with the floor in the rotunda. Crowning the rotunda is a glass and steel dome, the largest dome in southeastern Michigan.

The central display in the museum will be the core exhibition, "Of the people: An African-American experience." This exhibition will use historical artifacts, audio recordings, documents, and three-dimensional displays to take visitors through the totality of the African-American experience, from the first slave ships through the present day. Displays will also put into context the importance of African traditions in historical and modern American culture. Two additional galleries will be used for new and changing exhibits.

The men and women of the new Museum of African-American History are committed to creating an institution which is truly a partner in the community. To that end, the museum will offer a lecture series, after-school programs for Detroit children, weekend workshops for children and adults and theatrical arts programs.

The Museum never would have been built without the leadership of two remarkable mayors, Coleman Young and Dennis Archer, and without the financial support of the residents of Detroit and the corporate community. All of them came together and pledged their support for what will be the finest institution of its kind in the country.

At the museum's grand opening on April 12, the U.S. Postal Service will unveil the winning design for the first stamp celebrating Kwanzaa. The Kwanzaa stamp, which has been designed by the internationally acclaimed artist Synthia Saint James,