

The PRESIDING OFFICER. Without objection, it is so ordered.

#### HONORING THE GIBSONS ON THEIR 60TH WEDDING ANNIVERSARY

Mr. ASHCROFT. Mr. President, families are the cornerstone of America. The data are undeniable: Individuals from strong families contribute to the society. In an era when nearly half of all couples married today will see their union dissolve into divorce, I believe it is both instructive and important to honor those who have taken the commitment of "till death us do part" seriously, demonstrating successfully the timeless principles of love, honor, and fidelity. These characteristics make our country strong.

For these important reasons, I rise today to honor Clarence and Rena Gibson of Independence, Missouri, who on August 7, 1997, will celebrate their 60th wedding anniversary. My wife, Janet, and I look forward to the day we can celebrate a similar milestone. The Gibsons' commitment to the principles and values of their marriage deserves to be saluted and recognized.

#### MICHIGAN TRAGEDIES

Mr. ABRAHAM. Mr. President, late on Wednesday, July 2, the State of Michigan was the recipient of an uninvited guest for the holiday weekend: Namely, a series of intense thunderstorms which ripped through the south-central and south-eastern portions of our State.

Heavy rains, accompanied by 13 confirmed tornado touchdowns, and powerful straight line winds in excess of 70 to 100 miles per hour caused extensive damage, injury and some deaths in our State. I have had the chance since then to tour a number of the damaged sites in our State, and I know that Senator LEVIN has likewise been visiting some of these communities. I can attest to the level of destruction which has taken place in Michigan.

Just to put some statistics to the descriptions, all told we had 13 people who were killed as a result of the storms, approximately 117 others as of this morning who were injured, and some 1,482 people are homeless today as a result of the storm. Public damage estimates at this point are now close to \$135 million, and are expected to rise.

To put it in even a more personal perspective, in Grosse Pointe Farms, MI, winds in excess of 75 miles per hour caused the collapse of an occupied picnic pavilion gazebo. It actually swept the gazebo across the park, lifted it and those in it through a fence and into Lake St. Clair. Five people, including several very young children, were killed as a result. In Wayne and Macomb, Counties, flooding caused by the intense rainfalls resulted in nearly 52 million dollars' worth of damage to the public water and sewer systems. In the city of Detroit, the headquarters of Focus:HOPE, a volunteer organization

that feeds over 50,000 people a month in Michigan, sustained \$10 million in damages when a tornado tore the roof off several of its buildings and blew out dozens of windows. In the city of Hamtramck, another community I visited, the scene was reminiscent of a Hollywood set, with cars up-ended, houses destroyed, and roofs ripped off buildings. It was an incredible act of nature which, at one point, left approximately 325,000 people in our State without power.

I appear today, really, just to give the Senate an update. Michigan is a resilient place and the people in all of these communities have risen to this challenge. People have been volunteering, helping neighbors, and coming from all over our State to lend a hand in places such as Chesaning, a city in Saginaw County, and in Genesee, Wayne, Macomb and Oakland Counties. I am very proud of those people, Mr. President. I appear today to thank all of those who have stepped up to this challenge.

Government officials, led by our Governor John Engler, Detroit Mayor Dennis Archer, Mayor Kozaren of Hamtramck, Mayor Danaher of Grosse Pointe Farms, Supervisor Kirsh of Washington Township, Supervisor DePalma of Groveland Township, Supervisor Walls of Springfield Township, Mayor Jester of East Lansing, Supervisor Miesle of Cohoctah Township, Supervisor Kingsley of Conway Township, Supervisor Wendling of Maple Grove Township, Village President Mahoney of Chesaning and numerous other local officials have pulled together the State and local resource teams to get out and help distressed folks. The Michigan State emergency personnel, the State police, and FEMA have already begun the public damage assessments and they have been stalwarts in addressing these problems. I want to commend them, but I especially want to commend the volunteers from all over our State who have joined together to provide these first few days the kind of neighbor-to-neighbor help that truly makes the difference when crises of this type occur.

Our office is very actively involved, along with the other congressional offices, in trying to provide assistance. We have made it clear to those in need, if there is anything we can do we will be there to help. We also intend to continue the efforts to work with our State and with FEMA to provide whatever assistance we can, and if a decision to seek Federal aid is made, certainly I urge the President to move quickly to approve it. My wife, today, in fact, is in the State working with the Red Cross in a number of the shelters that have been provided. People from our staff and other congressional staffs, I know, are likewise performing various volunteer services.

So, Mr. President, I want to send a heartfelt thanks to those in our State who have donated their time and energy. To the families of those who have

lost loved ones, we send our prayers and condolences. And to the many others who have been affected by this, we want you to know that people are committed to working to do everything we can to return things to normal and to overcome this tragedy. It was an incredible storm, but Michigan is an incredible State, and I know we will successfully rebuild and put things back on track in a very short period of time. I yield the floor.

#### ARE POLITICAL CONTRIBUTIONS VOLUNTARY?

Mr. NICKLES. Mr. President, on behalf of Mr. David Stewart and millions of workers like him, who hold their political freedoms in this country in the highest regard, I send the June 25, 1997 Rules Committee testimony of Mr. David Stewart of Owasso, Oklahoma to the desk and ask unanimous consent that it be printed in the RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

TESTIMONY OF DAVID STEWART, TRANSPORT WORKERS UNION OF AMERICA-LOCAL 514, REGARDING SENATE BILL S. 9, THE PAYCHECK PROTECTION ACT

My name is David Stewart, I am a member of the Transport Workers Union of America, Local 514 located in Tulsa, Oklahoma. I am here today to support changes in legislation that will protect the hard earned money of myself, and my co-workers. We are tired of funding political agendas and/or candidates that we do not endorse or vote for. I want to first make the point that I am not anti-union, I have received decent wages and benefits as a result of my membership with the T.W.U. and believe that union membership is beneficial and would recommend that all working men and women of the United States join in a union.

Let me submit a brief overview of my history in Organized Labor. I became a union member (Transport Workers Union of America) in September 1983, when I was hired as a welder at American Airlines Inc. I was very interested in the affairs of the union and attended all union meetings and quickly became a Shop Steward around December 1983. As my interest continued, I was offered Labor Study classes in the evenings at Tulsa Junior College in 1984. I accepted and attended the following courses: History, Organization, and Functions of Unions, Labor and Politics, Labor Laws, and Grievance Handling and Arbitration.

In 1985-86 I was elected Vice-President of the Northeastern Oklahoma Labor Council. This was a very short lived position as I am the father of three boys and the time needed to perform these duties conflicted with my requirements as a father and resigned this position after about eight months. In any event, my involvement with the union continued as a member. I continued my duties as Shop Steward and was very involved with the Political Wing of the Union. This Political Wing has a "sign factory" behind the Union Hall where volunteers print, assemble, and distribute yard signs for political campaigns. I spent many hours in this building learning of political issues and candidates that the union supported.

In 1991, I transferred to a newly created local in Fort Worth, Texas. As I spent time away from Tulsa and the strong political wing of the Tulsa local union, my personal

political views began to change toward a more conservative position and I began to realize that I really do not agree with some of the agendas and the candidates that the union endorses. Yet, we are all required to fund these agendas and campaigns just by virtue of our membership in the union. As I searched for relief from this unjust requirement, I found out about the "Beck Supreme Court Decision" which in effect gives a union member the right to a refund of the non-bargaining expenditures of the union. The problem is, I must relinquish my union membership and the rights associated with that membership to seek this refund. It is absurd to require me to fund the contract bargaining, contract enforcement and administration of the Local, yet require me to forfeit my rights to a voice in these affairs, only because I oppose the political expenditures of the union. I still attend the union meetings and enjoy having a voice in the affairs of the union and my career, I am not willing to give up this activity to receive the refund afforded me by the "Beck Decision."

In September of 1996, I transferred back to Tulsa as a Crew Chief. I have duties and responsibilities covering the assignments of 20 mechanics and welders. I have attended about six union meetings in the past eight months, I have had no conflicts with the union that would influence my decision to come to Washington and testify. I would like to believe that my status as a union member of the T.W.U. will not be affected by my testimony before this committee.

My options under current law are best described as follows:

**Option A:**

During the month of January, of any given year I can send a notice of my objection to the International Secretary Treasurer. I must first assume non-member status in my union. I am required to renew this objection in January of each year to object for the subsequent twelve months. As an objector, I shall have neither a voice nor a vote in the internal affairs of the Local Union or of the International Union; nor shall I have a voice or a vote in the ratification of or in any matter connected with the collective bargaining agreement, whether or not it covers my employment. My paycheck shall continue to have a fee equal to full union dues deducted by my employer and transmitted to the union. The Local and the International, place these fees in an interest bearing escrow account. After completion of an audit, I will receive a rebate equal to an amount ascribed by the audit to non-chargeable activities. This rebate of course does not include any portion of the interest applied to the escrow account. I can at my own expense challenge the validity of the audit. This procedure is very cumbersome and probably cost more than the challenge would change the audit report.

**Option B:**

I can continue to fund all of the non-germane and political expenditures of my union. This option allows me to maintain the very important voice and vote in the affairs of the Local and International Union. More importantly, as a bonus for funding these activities, I have a voice and a vote in the ratification of the collective bargaining agreement. It should be pointed out here, that I will fund the collective bargaining process regardless of which option I choose. I only get a voice and a vote as a reward for funding the other non-germane expenses.

**Option C:**

Seek assistance from my government representatives and attempt to get the laws changed that hold my voice and vote hostage as a result of the Supreme Court Beck Decision of 1988. The bottom line is this, I continue to fund the non-germane expenditures

so that I can receive the reward for voice and vote in the union business associated with the germane.

I am currently a participant for Option B, and I appear before this committee today to exercise Option C.

It is my understanding that Organized Labor will oppose this legislation. I find this to be an interesting position, because it will not outlaw expenditures, only require consent from each member. If Labor is convinced that the membership supports their non-germane spending, they should also be convinced that the consent to continue, and even an increase in this spending should be very easy to obtain. I have no pride in the 35 Million Dollar attack on members of Congress in the election of last fall. I was disgusted to watch the misleading television ads attacking decent members of Congress, and I know many of my co-workers feel the same. On the other hand, an active campaign has begun to garner support for changes to the Federal Aviation Regulations, a bill to equalize regulations between domestic and foreign Aviation Repair Stations, this is a political expenditure that myself, and my co-workers must spend whatever it takes to seek support, this is one issue I should not oppose expenditures and volunteer funds for. This is where I stop and think to myself . . . why does everything require political funding for passage? Or, why don't we just do the right thing for the voter anymore? However, these hearings are not about Federal Aviation Regulation changes, Republican vs. Democrat, Pro-Union vs. Anti-Union, Right-to-Work Laws vs. Union Security Agreements. The issue is about allowing a union member to object to political expenditures and retain the right to vote on issues associated with the germane expenditures of the union that he will fund regardless of which option described above is exercised.

I feel privileged to sit before this committee today, as the debate over the campaign finance becomes the focus of our government. Very few Americans today believe that a single voter as myself without a huge bankroll of cash to fund the next campaign could ever reach this level of participation. I have already, and will continue to spread the word that indeed with persistence and knowledge of the issue, a constituent is still welcome on the hill.

I believe very strongly that the Paycheck Protection Act introduced by Senator NICKLES is the answer to my woe as a union member. I can object to the collection by intimidation of my hard earned money for political views and agendas I oppose, yet continue to have involvement and support those affairs of my union that I have no opposition to. It is refreshing to see that my Senator, has the insight and courage to help the union members of this country by authoring "the Paycheck Protection Act" Senate Bill No. 9.

Mr. KENNEDY. I ask unanimous consent that Tom Perez on my staff be given floor privileges.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRESIDENTIAL RACE INITIATIVE AND AFFIRMATIVE ACTION

Mr. KENNEDY. Mr. President, I commend President Clinton for his impressive Presidential initiative on race, which he announced in his recent commencement address at the University of California, San Diego.

This initiative combines constructive dialog, study and action. It carries forward the President's longstanding con-

cern that the country must remain One America, and that all Americans must have an opportunity to share in the American dream.

Too often, the race issue is used as a wedge to divide America.

President Clinton's goal is to unite America by examining where we have been, and where we need to go, in order to achieve lasting racial reconciliation. President Clinton correctly recognizes that our Nation's diversity is our greatest strength, and that we must improve the ability of all Americans to realize their full potential.

Civil rights is still the unfinished business of America. We have come a long way toward the goal of equal justice and opportunity. But as the church arson epidemic, the Texaco debacle, the O.J. Simpson trial and the Good Ol' Boys Roundup demonstrate, we are not there yet.

Incredibly, there appear to be some who believe that discrimination is a thing of the past, and that the playing field is now level for women, for people of color, and for other victims of discrimination. The facts clearly belie this claim.

The unemployment rate for African-Americans is twice that of whites. Women still earn only 72 percent as much as men.

The average income of a Latina woman with a college degree is far less than that of a white man with a high school degree. The Glass Ceiling Commission reported that 97 percent of the top executive positions in Fortune 500 companies are held by white men, although they are just 43 percent of the work force. In the Nation's largest companies, only 1 percent—1 percent—of senior management positions are held by Latinos or African-Americans.

Hate crimes continue to occur at alarming rates.

The scales of justice are supposed to be blind, but these figures demonstrate that race and gender discrimination are distorting the balance.

Yet, there are those who want to eliminate all affirmative action programs, claiming that they have outlived their usefulness. It's time to dispel the barrage of misinformation about affirmative action.

Affirmative action is not about promoting or hiring unqualified women and minorities, admitting unqualified students, or awarding contracts to unqualified businesses.

Affirmative action has clearly worked in the Armed Forces. Does anybody doubt the qualifications of Gen. Colin Powell?

Affirmative action has clearly worked in education. College admissions practices that allow universities to consider race as a factor—not the main factor or the controlling factor—have a positive impact on the ability of minorities to escape the cycle of poverty through education.

The overwhelming majority of educators feel that colleges and universities are failing in their mission if