

# EXTENSIONS OF REMARKS

## THE AIRLINE DISASTER RELIEF ACT

### HON. DON SHERWOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 4, 1999*

Mr. SHERWOOD. Mr. Speaker, I rise to introduce the Airline Disaster Relief Act, a measure which clarifies the legal rights of airline disaster victim's families. This bill is about fairness. It's about providing justice in our legal system to families who suffer the loss of a loved one in an aviation accident over the ocean. This same Act was passed overwhelmingly by the House of Representatives during the 105th Congress.

On July 17, 1996, 230 people lost their lives in the tragic crash of TWA Flight 800. Among the victims were 21 people from Montoursville, Pennsylvania, a small community in my district. The people of Montoursville were brutally impacted by the sudden loss of 16 high school students and five chaperones who were flying to France to enrich their educational experience. For the families of the victims aboard Flight 800, this tragedy has been made worse by the Supreme Court's application of an antiquated maritime law, known as the Death on the High Seas Act of 1920.

The Supreme Court decided in *Zicherman v. Korean Airlines*, that the Death on the High Seas Act applies to lawsuits that arise when an aircraft has crashed in the ocean more than a marine league from land. This interpretation would prevent the families of the TWA 800 victims from receiving the just compensation they are entitled to under state law. This decision treats families differently depending on whether their relative died in an aircraft that crashed into the ocean or one that crashed into land. If the plane crashes into the ocean, the Death on the High Seas Act applies and the family is entitled only to seek pecuniary damages before a U.S. District Court Judge with no jury. However, if a plane crashes into the land or within 3 miles of land, the applicable State tort law would apply. State tort laws generally allow compensation for loss of companionship, loss to society, pain and suffering in addition to lost income.

Today, however, when state tort law has progressed to a point where value is placed on human life, the application of this skewed statute is viewed as inequitable, unfair and inhumane. This is particularly true in the death of children since children are generally not economic providers for their families. Thus, family members would receive minimal compensation for the loss of a loved one who was not a wage earner or "bread winner." Because of this arbitrary line, legislatively drawn in the ocean, the surviving family members in this case are being dealt a cruel blow. No parent should be told by our nation's legal system that longitude and latitude will determine the value of their child or determine their rights in a court of law. Many family members of TWA 800 victims feel that the application of the

Death on the High Seas Act makes the life of their child or loved one appear worthless in the eyes of the law.

For this reason, I introduced this measure which will negate the application of the Death on the High Seas Act to air disaster cases. My bill would amend the Federal Aviation Act so that airline disasters at sea are treated the same as incidents on land. The gross injustice of the Death on the High Seas Act must be changed. Where a plane crashed should not dictate our rights in a court of law.

Both the Supreme Court and The White House Commission on Aviation Safety and Security recommend that Congress correct these inequities. Additionally, the Congressional Budget Office estimates that there will be no costs associated with the implementation of this Act. It is time to bring justice to the application of federal laws which regulate airline disaster claims. Passage of the Airline Disaster Relief Act will be an important step in achieving this objective. I urge my colleagues to overwhelmingly approve this bill.

## IN MEMORY OF FREDERICK A. JONES

### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 4, 1999*

Mr. KUCINICH. Mr. Speaker, I rise today in memory of Frederick A. Jones, a gentleman who was an outstanding member of the Olmsted Falls community.

Over the years Mr. Jones worked in a variety of ways to make Olmsted Falls a better place. He umpired Summer League baseball games, led a Boy Scout group, and served as the presiding chairman of the city's Civil Service Commission.

After moving to Olmsted Falls in 1941 Mr. Jones worked as a volunteer fireman for 30 years, spending much of that time as a captain. During his tenure he helped connect the Fire and Police departments via a ham radio system.

Mr. Jones also served in the U.S. Army Infantry during World War II, participating in the Rhineland offensive. After his service in World War II Mr. Jones returned to Olmsted Falls and worked for Bell Telephone until 1981.

Mr. Jones was also a member of the committee that planned and oversaw the construction of a football field and track for Olmsted Falls High School. He and his wife, Betty, served as co-chairs of the Athletic Boosters Club for nine years. Mr. and Mrs. Jones also acted as the co-chairs of the Olmsted Falls local antique show at the Olmsted Community Church.

He will be greatly missed.

## WHY I INTRODUCED THE BALANCED BUDGET AMENDMENT

### HON. BOB SCHAFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 4, 1999*

Mr. SCHAFER. Mr. Speaker, when I ran for the United States Congress, I campaigned on virtually one single issue—balancing the budget.

Whenever I speak on the matter, I think of my friend Delmar Burhenn. His family works hard to make ends meet on their Baca County farm located in the extreme southeast corner of Colorado.

I savor every chance I get to speak with Delmar. He has opinions about everything—retirement, the reliability of farm equipment, saving for a vacation, and so on.

During my first term in Congress, we balanced the budget, reduced taxes and improved education. During the 106th Congress, we want to build on these achievements by preserving Social Security, giving families like Delmar's more tax relief, and permanently balancing the budget.

Of these, the most pressing issue is balancing the federal budget permanently. That's why I introduced H.J. Res. 1, the Balanced Budget Amendment Resolution of 1999, on the first day of the 106th Congress. Even while the Republican-led Congress exercises fiscal discipline in Washington, I believe the only way to protect families like Delmar's is by making it a requirement federal books remain balanced forever.

Some are unaware Congress balanced the federal budget last year. We did. In fact, we delivered the first balanced budget since 1969, a big step in the right direction. But that was simply a temporary victory that can be lost with the political winds. The Balanced Budget Amendment I propose guarantees the federal budget will be balanced each year to come.

Under my proposal, the only time the budget could be broken is by an affirmative vote of a three-fifths super majority in both the House and the Senate. This super majority would be too high a hurdle for frivolous, spur-of-the-moment impulse spending. Congress would only be able to spend more than income warrants during times of real need like national emergencies and war.

The Balanced Budget Amendment would also help us accomplish one of my top priorities for the 106th Congress, preserving and protecting Social Security for future generations. Right now the federal government "borrows" from the Social Security surplus in order to pay for other numerous federal programs such as education, Medicare, and transportation. Even by conservative estimates, without an end to this "borrowing," we can count on Social Security running deficits by 2012, and headed toward bankruptcy in the early 2020's.

With a permanently balanced budget, the federal government will be forced to prioritize

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Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

money for these programs and others important to Coloradans. By reducing the amount we borrow to meet today's federal debt obligations, we pay less interest on the national debt each year.

Even with all of these incentives to pass the Balanced Budget Amendment, it won't be easy. There are still too many big spenders in Washington who are adept at creating new, expensive programs for every problem. Under the Balanced Budget Amendment, liberals won't be able to continue their free spending ways without considering the long-term consequences to Colorado families like Delmar's.

It's time to stop runaway government spending. Coloradans balance their checkbooks every day, knowing they can't spend money they don't have. I don't think there's any reason to expect less of the federal government.

By passing the Balanced Budget Amendment, Delmar will be assured bureaucrats in Washington will have to worry about making ends meet, just like he does.

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TRIBUTE TO MRS. BETTY WELLS  
AND MR. ERNIE MCCOLLUM  
UPON THEIR RETIREMENTS

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**HON. DAVID D. PHELPS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 1999

Mr. PHELPS. Mr. Speaker, I rise today to pay tribute to two of my constituents on the occasion of their retirement from the Board of Trustees of the Rend Lake Conservancy District. Rend Lake is a major southern Illinois reservoir whose construction was prompted by a severe regional drought in the 1950s. The Rend Lake Conservancy District operates a water treatment plant which serves 300,000 people in over 60 communities, as well as the Lake's enormously popular recreational facilities, which boast a golf course and resort, as well as hunting, fishing, camping, and boating.

Needless to say, the work of the Conservancy District is immensely important to the people of southern Illinois, and to the entire state, and it would not be possible without the leadership of a dedicated and capable Board of Trustees. Sadly, two esteemed members of this Board have recently announced their retirement and I am here today to express my deep appreciation for the service of Mrs. Betty Wells of Jefferson County and Mr. Ernie McCollum of Franklin County. These two remarkable people have contributed outstanding service to the people of southern Illinois through their excellent stewardship. I know their presence on the Board will be missed but their accomplishments will surely be long remembered. Mr. Speaker, I hope you will join me in wishing Mrs. Wells and Mr. McCollum the very best in whatever the future may hold for them.

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EMPLOYEE OWNERSHIP  
ENHANCEMENT ACT

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**HON. JAMES A. TRAFICANT, JR.**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 1999

Mr. TRAFICANT. Mr. Speaker, if our economy is so great, than why are American work-

ers losing their jobs? If our economy is so great, than why are American workers going bankrupt in record numbers? If our economy is so great, who do many families need three jobs just to pay their bills? And Mr. Speaker, if our economy is so great, why are so many manufacturing plants going out of business?

On May 31, 1997, something happened in my congressional district that deeply affected 70 of my constituents and their families. The Camcar Textron Brainard Rivet plant in Girard, Ohio closed its doors and told its workers to go home. The workers at this plant, scared for their futures and the futures of their families, wanted to work with the parent company of Camcar, Textron to negotiate an employee buyout through an Employee Stock Ownership Plan (ESOP). Unfortunately, Textron did not feel that selling the plant to the employees through an ESOP would be in the best interests of the company. I was particularly concerned over the fact that Textron has referred 50 former Brainard Rivet customers to another non-Textron company. These customers could have been the base for an employee-owned company.

Mr. Speaker, Congress needs to do all it can to encourage ESOPs. That is why today I am introducing legislation, the "Employee Ownership Enhancement Act," to require that an employer closing a manufacturing plant to offer the employees an opportunity to purchase the business through an ESOP. This legislation would exempt companies that are planning to continue using the assets and/or capital from a closed plant at another location or the companies that close a plant but still are manufacturing the same product at another plant.

The current economy presents many challenges for both workers and employers. Congress needs to put in place reasonable laws to enable hard working Americans a chance to own and operate manufacturing plants if the owners don't want to anymore. My bill would apply to only a handful of plant closings a year, but would provide hope and opportunity to thousands of workers and their families. It is that simple.

I urge all my colleagues to support this very important piece of legislation.

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IN HONOR OF THE EARNEST  
MACHINE PRODUCTS COMPANY

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**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to recognize the Earnest Machine Products Company as they celebrate their fiftieth year in business. Earnest Machine Products Company has proven itself as an outstanding family-owned business that adheres to simple principles of exceptional customer service, customer loyalty, and close employee relations.

In 1947 Paul and Victor Zehnder started the Zehnder Engineering and Machine Company in Cleveland. The company manufactured and sold various industrial supplies until 1948, when Paul began selling surplus track shoe bolts. The bolts were in high demand at the time, and they enabled Paul to begin a long career of distributing nuts and bolts. In 1951 the company name was officially changed to

the Earnest Machine Products Company. By 1967 the company's sales had tripled and Earnest Machine Products Company kept introducing new industrial products, such as enamel paints and roller bearings. Eventually, business expanded to include distributors in all 50 states.

Quality products and hard work are important components to the success of Earnest Machine Products Company, but strong customer service and loyal employees are the backbone of the company's history of success. From the very beginning Zehnder promoted outstanding customer service by accepting collect calls before toll free numbers were introduced. The employees are treated like family. That sentiment, and steady growth over 50 years has enabled Earnest to establish and maintain a base of loyal employees. In fact, over 70 percent of the work force has been with the company for 15 years or more.

In 1998 Earnest received ISO 9002 certification, which recognizes that the company is a quality supplier of industrial fasteners by American and European Quality Assurance agencies. Earnest has also maintained an accredited lab to test and insure the quality of their product. Today, Earnest Machine Products Company distributes over 30,000 different fastener types and sizes.

The Earnest Machine Products Company has proven that adherence to employees, customer service, and quality can produce a successful business.

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TRIBUTE TO AMOS W. ALLARD

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**HON. BOB SCHAFER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 1999

Mr. SCHAFER. Mr. Speaker, I rise today to pay humble tribute to the life and legacy of Amos W. Allard, who died Monday, February 1, 1999 in Ft. Collins, Colorado. Mr. Allard was born on a ranch near Walden, Colorado on May 14, 1920 to Arthur Allard and Pearl Wade Allard. He is the Great Grandson of James O. Pinkham, the first permanent settler in North Park.

Amos Allard attended schools in Denver, Walden and Fort Collins. He graduated from Fort Collins High School in 1937. Later he attended Colorado A&M., now known as Colorado State University, and the University of Missouri, where he received his Bachelor of Sciences degree.

On July 18, 1941, he married Jean Stewart. After he served his country in the United States Navy during World War II, Amos and Jean moved to ranch in the Walden area where they ranched for more than 20 years. The couple have two sons: WAYNE ALLARD, currently serving as a United States Senator and wife Joan, and Kermit Allard, a Fort Collins C.P.A. and wife Judy.

Amos Allard demonstrated a history of service and commitment both to his family and to the community. While ranching in the Walden area, Amos was actively involved in the Colorado Cattlemen's Association, the North Park Stockgrowers Association, and the IOOF Lodge where he served as Grand Master for the State of Colorado.

After the family moved to Loveland, Colorado, Mr. Allard became a real estate broker