Marcia Stewart is known as the ''Martha Stewart of legislation.'' Not bad for a woman who was a toddler when I began my career in Congress.

Marcia and her two-year-old daughter, Abigail, will be joining Marcia's husband Tim Stewart in Salt Lake City, where they will be giving up the white columns of the Capitol for the wide open spaces of the West. All I can say is Congressman JIM HANSEN district's gain is our loss.

We will miss you, Marcia Stewart, and wish you and your family a wonderful life in Utah. I thank you for your service to me, to the Committee on Resources, to the Congress and to America.

CONFERENCE REPORT ON S. 900, GRAMM-LEACH-BLILEY ACT

SPEECH OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 4, 1999

Mr. DINGELL. Madam Speaker, to paraphrase the words Charles Dickens penned in 1859, this is the best of bills; this is the worst of bills. It is an act of wisdom; it is an act of foolishness. It wisely recognizes the technological and regulatory changes that have blurred the lines between industries and products, and builds a new regulatory structure to house and foster competition and innovation. However, it unwisely fails to recognize that, for all that has changed dramatically, human nature has not. Prodigious failures and frauds are no less possible, indeed, perhaps are even more likely today. Yet S. 900 provides inadequate protections for taxpayers, depositors, investors, and consumers.

Now, I can tell that some of my colleagues are bracing themselves for a speech about the Crash of 1929 and the Great Depression that followed it. I am not giving that speech today. I am not opposing S. 900 because I am stuck in the past. I am opposing S. 900 because it's a bad bill today and for the future. About the past, I will only observe that he who does not learn from it, is doomed to repeat it. This bill bears dangerous seeds.

First, S. 900 facilitates affiliations between banks, brokerages, and insurance companies, creating institutions that are ''too big to fail.'' However, it does not reform deposit insurance or antitrust implementation and enforcement. The bill's supporters tout all the benefits to consumers, but woe to the American people when they have to pick up the tab for one of these failures or when competition disappears and prices shoot up.

It also authorizes banks' direct operating subsidiaries to engage in risky new principal activities like securities underwriting and, in five years, merchant banking with Treasury and Federal Reserve approval. The flimsy limitations and firewalls will not hold back contagion and underscore the foolishness in not reforming deposit insurance, and thus the threat to taxpayers and depositors.

Second, the privacy provisions in S. 900 are a sham. The bill gives financial institutions new access to our personal financial and other information for purposes of cross-marketing and profiteering. Under S. 900, a customer cannot opt out of information sharing if his financial institution enters a ''joint marketing agreement'' with unaffiliated third parties. This loophole makes the privacy protections about as effective as a lace doily would be in holding back a flood.

Third, this bill undermines the Community Reinvestment Act. Many of my colleagues will speak to this point more eloquently than I, and I associate myself with their remarks. At the appropriate point, I will include National Community Reinvestment Coalition's letter in the RECORD.

Fourth, it undermines the separation of banking and commerce. Title IV closes the unitary thrift loophole by barring future ownership of thrifts by commercial concerns. But about 800 firms that are grandfathered can engage in any commercial activity, even if they were not so engaged on the grandfather date. Moreover, title I allows the new financial holding companies (which incorporate commercial banks) to engage in any ''complementary'' activities to financial activities determined by the Federal Reserve. And in a piece of circular mischief, any S&L holding company, whether or not grandfathered, can engage in any activities determined to be ''complementary'' for financial holding companies. Title I of S. 900 also waters down the prudential limitations that the House had imposed on merchant banking. S. 900 clearly ignores the warning of then Treasury Secretary Rubin to Congress in May of this year: ''We have serious concerns about mixing banking and commercial activities under any circumstances, and these concerns are heightened as we reflect on the financial crisis that has affected so many countries around the world over the past two years.''

Fifth, the conference agreement would let banks evaluate and process health and other insurance claims without having to comply with state consumer protections. This means that banks, of all people, will make important medical benefit decisions that patients and doctors should make. According to the National Association of Insurance Commissioners, S. 900 could prevent up to 1,781 state insurance consumer protection laws and regulations from being applied to banks that conduct insurance activities. State laws could be preempted that require consumers to be paid claims they are due and that protect consumers against predatory practices of banks that sell credit insurance. S. 900 also preempts state consumer privacy laws restricting the dissemination of medical and other personal information by a bank engaged in insurance activities. The conference committee rejected an amendment that I offered to address these serious shortcomings.

Sixth, S. 900 contains provisions (subtitle B of title III) on the redomestication of mutual insurers that are opposed by the National Conference of State Legislatures and the National Conference of State Legislatures and the National Conference of Insurance Legislators. They contend that this legislation is anti-consumer and not in the public interest in that it would preempt the anti-mutualization laws in 30 states and places as many as 35 million policyholders, many of our constituents, at risk of losing $94.7 billion in equity. Their letter also follows my statement.

Finally, our capital markets are the envy of the world and their success rests on the high level of public confidence in their integrity, fairness, transparency, and liquidity. While S. 900 pays lip service to the functional regulation of securities by the SEC, it, in fact, creates too many loopholes in securities regulation—too many products are carved out, and too many activities are exempted—thus preventing the SEC from effectively monitoring and protecting U.S. markets and investors. In a final indignity, the effective date of the securities title was extended mysteriously to 18 months from the one year approved by the conference committee. So, the title I Glass-Steagall repeal is effective 120 days after date of enactment, the insurance provisions are effective on date of enactment, the pitiful privacy provisions are effective six months after the date of enactment, but the banks do not have to comply with the federal securities laws until 18 months or a year and a half after the date of enactment. This makes absolutely no sense whatsoever, but, considering all the other problems with this bill, is par for the course.

I support modernization of our financial laws. I support competition and innovation. I do not believe either should be accomplished at the expense of taxpayers, depositors, investors, consumers, and our communities.

S. 900 is a bad bill for the reasons I have outlined. I therefore refused to sign the conference report and I will vote ''no'' on passage.

CONFERENCE REPORT ON S. 900, GRAMM-LEACH-BLILEY ACT

SPEECH OF

HON. CAROLYN C. KILPATRICK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 4, 1999

Ms. KILPATRICK. Madam Speaker, I rise today in support of S. 900, the Financial Services Modernization Act. This conference report is the culmination of years of efforts on the part of Congress, several Administrations, and federal financial regulators to create a rational and balanced structure to sustain the continued global leadership of our nation's financial service sector. This is not a perfect bill. I would like for the Community Reinvestment Act (CRA) provisions and the privacy provisions of the bill to be strengthened, but I understand the political process involves compromise, and this legislation represents just that. As a former member of the Banking Committee, I know that the agreement reached by the members of the Conference Committee and the Administration is built on the consensus that exists among the banking, securities and insurance firms regarding the need for this legislation. This act will benefit consumers, businesses and the economy by finally reforming our antiquated banking and finance laws. Consumers and businesses will benefit from a wider array of products and services offered in a more competitive marketplace that result directly from enactment of this law.

The Act will permit the creation of new financial holding companies, which can offer banking, insurance, securities and other financial products. These new structures will allow American financial firms to take advantage of greater operating efficiencies. For financial institutions, increased efficiency will mean increased competitiveness in the global marketplace. For consumers, increased competition will mean greater choice, more innovative

services, and lower prices for financial products. For the economy, this will mean better access to capital to spur growth.

Since the beginning of my service in the United States Congress, I have been committed to the vitality of the Community Reinvestment Act (CRA). I am encouraged that this Act, for the first time, will apply CRA to banks and their holding companies as they expand into newly authorized non-banking activities. Until now, the law has permitted banking organizations to make very large acquisitions of securities firms and to engage in other nonbank activities without any CRA performance requirements at all. Under this bill, no banking organization can become involved in these new activities if any of its insured depository affiliates has a less than satisfactory CRA rating. This is a flat prohibition, and I believe a move in the right direction toward the expansion of CRA from current law. Like many of my colleagues, I stringently support the expansion of CRA. However, as a veteran legislator, I recognize that the legislative process, by definition, produces compromises by all parties. I believe that the CRA provisions in S. 900 are a good compromise toward ensuring that the modernization of our financial system works for all Americans.

For the first time, financial institutions must clearly state their privacy policies to customers up front, allowing customers to make informed choices about privacy protection. The Act will require financial institutions to notify customers when they intend to share financial information with third parties, and to allow customers to ''opt-out'' of any such information sharing. Under existing law, information on everything from account balances to credit card transactions can be shared by a financial institution without a customer's knowledge. This can include selling information to non-bank firms such as telemarketers. This Act provides the most extensive safeguards yet enacted to protect the privacy of consumer financial information. The Act also provides other important consumer protections, including mandatory disclosures and prohibitions on coercive sales practices, protection of a wide variety of state consumer protection laws governing insurance sales, strengthening protections when banks sell securities products, and making full disclosures of fees at ATM machines.

Madam Speaker, this Act is a step forward in improving our nation's financial service system for the benefit of consumers, community groups, businesses of all sizes, financial service providers, and investors in our nation's economy. Financial services modernization legislation has taken a long road to final passage. I remain committed to expanding access to the economic mainstream for all Americans. While not perfect, S. 900 will finally bring financial services law in step with the marketplace.

IN HONOR OF NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to congratulate Northeast Ohio Areawide Coordinating Agency (NOACA) on their recent award for Outstanding Overall Achievement for large Metropolitan Planning Organizations presented by the Association of Metropolitan Planning Organizations. This prestigious award, given to only one organization nationwide each year, was well deserved.

The Outstanding Overall Achievement for large metropolitan Planning Organizations Award recognizes exceptional work in metropolitan transportation planning. NOACA's award nomination focused on the newly adopted transportation plan, Framework for Action 2025. This plan is a 25-year innovative, goal-oriented plan that supports transportation investments that boost economic redevelopment in the region's core cities. Framework for Action 2025 also focuses on preserving the environment, improving the efficiency of the transportation system and providing greater transportation choices for the local commuters.

In the past, the NOACA has made significant achievements by making cooperative planning efforts. Their newly adopted plan shows that they are still committed to this in the future. NOACA has made tremendous efforts to reach out to Northeast Ohio and make innovative improvements in the transportation industry.

My fellow colleagues, please join me in honoring this fine organization as they accept the Outstanding Overall Achievement Award for large Metropolitan Planning Organizations. This is a significant achievement and tremendous honor for the organization.

OUR DOMESTIC CHILD LABOR LAWS SHOULD BE REFORMED SEVENTEEN MAGAZINE REPORTS ON PROBLEMS OF CHILD LABOR IN AGRICULTURE

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1999

Mr. LANTOS. Mr. Speaker, I rise today to share with my colleagues in the House an article written by Gayle Forman which appeared in the October 1999 edition of Seventeen Magazine. The article, entitled ''We Are Invisible,'' is about one of this country's ugly secrets—children laboring in our country's fields, harvesting the produce that all of us eat, and working under deplorable and backbreaking conditions which take a toll of their health and education. In her excellent article, Ms. Forman writes about the challenges facing children and families who work in the fields in trying to scrape by on meager wages and appalling working conditions. Since most of my colleagues are not avid readers of Seventeen, I want to call their attention to this article and the very serious issue it raises.

Agriculture is one of the most dangerous industries in the United States, but children are still allowed to work legally at very young ages for unlimited hours before and after school in extremely dangerous and unhealthy conditions. As many as 800,000 children work in agriculture in this country, picking the fruits and vegetables that end up in our grocery stores, either as fresh or processed fruits and vegetables.

Children who work in our Nation's fields are killed and suffer life-changing injuries. Recently, a 9-year-old was accidently run over by a tractor and killed while working in a blueberry field in Michigan. A 13-year-old was knocked off a ladder while he was picking cherries in Washington State and was run over by a trailer being pulled by a tractor. A 17-year-old was sprayed twice by pesticides in 1 week in Utah while picking peaches and pruning apple trees and died of a massive brain hemorrhage.

Children who work in agriculture often do so at the expense of their education—and education is critical to help these children break out of the cycle of poverty. Mr. Speaker, we have a responsibility for the future of these children, which means their education, and we have a responsibility to protect them from job exploitation.

Under current Federal law, children working in agriculture receive less protection than children working in other industries because of many outdated and outmoded exceptions included in our laws. For example, children age 12 and 13 can work unlimited hours outside of school in nonhazardous agricultural occupations but are prohibited from working in nonagricultural occupations. It is illegal for a 13-year-old to be paid to do clerical work in an air-conditioned office, but the same child can legally be paid to pick strawberries under the blazing summer sun. In some instances, children as young as 10 years old are working in the fields harvesting our Nation's produce.

Mr. Speaker, our laws are inconsistent and out of date with regard to the long-term changes in agriculture that have taken place. Children working in agriculture no longer merit such separate and unequal protection. The agricultural industry is no longer dominated by family farmers who look out for their own children's health and well-being as they work in agriculture. Today, major agricultural conglomerates control much of the production and the work force in agriculture, and children who work in the fields are hired laborers. Given these and other changes in our Nation's agricultural economy, I ask why children in agriculture should be treated differently than children working in other industries.

Mr. Speaker, earlier this year, I introduced H.R. 2119, the ''Young American Workers' Bill of Rights Act'' which would provide equal standards of protection for children who work in agriculture and children who work in other sectors of our Nation's economy. The ''Young American Workers Bill of Rights'' would take children under the age of 14 out of the fields. It would create an exception only for family farms, where children would still be able to assist their parents on farms owned or operated by their family.

Mr. Speaker, last year, our colleagues, Congressman HENRY WAXMAN and BERNARD SANDERS and I released an important GAO report entitled ''Children Working in Agriculture'' which found that current legal protections, the enforcement of those protections, and educational opportunities for children working in our fields is grossly inadequate. The GAO reports that hundreds of thousands of children working in agriculture suffer severe consequences for their health, physical well-being and academic achievement. There are also weaknesses in enforcement and data collection procedures, with the result that child labor violations are not being detected.