

gentleman from New York, Mr. NADLER and the gentleman from Texas, Mr. EDWARDS, the Religious Land Use and Institutionalized Persons Act, a bill designed to protect the free exercise of religion from unnecessary government interference. The legislation uses the recognized constitutional authority of the Congress to protect one of the most fundamental aspects of religious freedom—the right to gather and worship—and to protect the religious exercise of a class of people particularly vulnerable to government regulation—institutionalized persons.

The land use section of the legislation would prohibit discrimination against or among religious assemblies and institutions, and prohibit the total unreasonable limits on religious assemblies and institutions. Finally, it would require that land use regulations that substantially burden the exercise of religion be justified by a compelling interest. The legislation would also require that a substantial burden on an institutionalized person's religious exercise be justified by a compelling interest.

The Religious Land Use and Institutionalized Persons Act is a partial response to rulings by the Supreme Court which have curtailed constitutional protection for one of our most fundamental rights. In 1990, the Supreme court in *Employment Division v. Smith* held that governmental actions under neutral laws of general applicability—that is, laws which do not “target” religion for adverse treatment—are not ordinarily subject to challenge under the free exercise clause even if they result in substantial burdens on religious practice. In doing so, the Court abandoned the strict scrutiny legal standard for governmental actions that have the effect of substantially burdening the free exercise of religion. Prior to the *Smith* decision the Court had for many years recognized, as the Court said in 1972 in *Wisconsin v. Yoder*, that “[a] regulation neutral on its face may, in its application, nonetheless offend the constitutional requirement for government neutrality if it unduly burdens the free exercise of religion.”

In response to widespread public concern regarding the impact of the *Smith* decision, the Congress in 1993 passed the Religious Freedom Restoration Act, frequently referred to as RFRA, which sought to restore the strict scrutiny legal standard for governmental actions that substantially burdened religious exercise. RFRA was based in part on the power of Congress under Section 5 of the 14th Amendment to “enforce, by appropriate legislation, the provisions” of the 14th Amendment with respect to the States. The Supreme Court in 1997 in the *City of Boerne v. Flores*, however, held that Congress had gone beyond its proper powers under Section 5 of the 14th Amendment in enacting RFRA.

The Religious Land Use and Institutionalized Persons Act approaches the issue of protecting free exercise in a way that will not be subject to the same challenge that succeeded in *Boerne*. Its protection for religious assemblies and institutions and for institutionalized persons applies where the religious exercise is burdened in a program or activity operated by the government that receives Federal financial assistance, a provision closely tracking Title VI of the Civil Rights Act of 1964. Such protection also applies where the burden on a person's religious exercise, or removal of the burden, would affect interstate commerce, also following in the tradition of the civil rights laws.

In addition, the land use section applies to cases of discrimination and exclusion to cases in which land use authorities can make individualized assessments of proposed land uses. These provisions are designed to remedy the well-documented discriminatory and abusive treatment suffered by religious individuals and organizations in the land use context.

The protection afforded religious exercise by this legislation in the area of land use and zoning will be of great significance to people of faith. Attempting to locate a new church in a residential neighborhood can often be an exercise in futility. Commercial districts are frequently the only feasible avenue for the location of new churches, but many land use schemes permit churches only in residential areas, thus giving the appearance that regulators are being generous to churches when just the opposite is true. Other land use restrictions are more brazen. Some deliberately exclude all new churches from an entire city, others refuse to permit churches to use existing buildings that non-religious assemblies had previously used, and some intentionally change a zone to exclude a church. For example, churches who applied for permits to use a flower shop, a bank, and a theater were excluded when the land use regulators rezoned each small parcel of land into a tiny manufacturing zone.

The Religious Land Use and Institutionalized Persons Act is supported by a broad coalition of more than 70 religious and civil rights groups ranging from the Family Research Council and Campus Crusade for Christ to the National Council of Churches People for the American Way. While it does not fill the gap in the legal protections available to people of faith in every circumstance, it will provide critical protection in two important areas where the right to religious exercise is frequently infringed.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

SPEECH OF

HON. CHARLES F. BASS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2000

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4461) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes:

Mr. BASS. Mr. Speaker, I rise in strong support of the amendment offered by my colleagues from Oklahoma and Maine.

Prescription drugs are playing an increasing role in health care, and thereby account for a growing share of health care costs. To help address this trend, I have supported legislation to make health insurance, including employer-provided and Medicare managed care plans, which often provide special coverage for prescription medication, more affordable, accessible, and fair.

But a particular problem with prescription drug costs is foreign price controls. Countries

like Canada maintain artificially low drug prices, contributing to higher prices in America's free market as companies seek to recoup costs for research and development, which in turn benefits all countries. Simply establishing price controls in America would seriously risk such life-saving and life-improving innovation. Instead, we must focus on ways to break down foreign price controls and create a broader free market in prescription drugs. A first step would be to remove existing barriers to trade while maintaining safety and quality controls.

For example, I am a cosponsor of the Drug Import Fairness Act, H.R. 3240, which would remove unwarranted red tape from legal prescription imports from other countries under current reporting requirements. I also recently cosponsored the International Prescription Drug Parity Act, H.R. 1885, which would revise reporting requirements better to facilitate imports from FDA-certified facilities abroad while continuing to protect safety and quality standards.

This amendment is a step in the same direction, and I hope that Congress will continue to examine additional steps to open up free trade in prescription drugs while maintaining safety and quality standards.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2001

SPEECH OF

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2000

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4811) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes.

Mr. MORAN of Virginia. Mr. Chairman, the FY 2001 Foreign Operations Appropriations bill is a bare-bones measure.

This bill provides for a mere \$13.3 billion—about \$200 million less than the FY2000 Act and \$1.8 billion, or 12%, below the President's \$15.1 billion FY2001 request.

Most disconcerting are the inadequate funding levels for debt relief and HIV/AIDS, and language placing restrictions on international funds for family planning.

The Foreign Operations Appropriations bill contains only \$82 million of the \$472 million requested for multilateral debt relief assistance. This is appalling.

Developing countries are struggling to pay debts that are crippling their economies. These countries have had to make drastic cuts in education and health care in order to make payments on these debts.

Debt relief is good moral and economic policy. Relieving the debt burden borne by the world's poorest nations will significantly improve the lives of millions of people around the world, while also serving U.S. interests by promoting stability and self-sufficiency in these countries.

Last month, the United Nations issued a report that uncovered the major devastation of

HIV/AIDS occurring in Sub-Saharan Africa. The report stated that one in five adults in Sub-Saharan Africa are infected with the HIV virus. How can the United States sit back and allow such suffering to go on? The answer is we cannot.

Back in April, the President declared AIDS in Africa to be a threat to U.S. national security. This epidemic has the power to devastate economies, overthrow governments, and set off wars. While some believed this statement was an "overreaction," I am convinced that this is an accurate assessment. If we do not provide the necessary funding to contain this epidemic today, the U.S. and the rest of the international community will have to carry a greater burden in the future.

We can no longer allow an isolationist approach to guide our foreign policy, which is exactly what this bill does. As a world leader, the United States should promote globalization and embrace a pro-active, internationalist vision.

Mr. Chairman, I am discouraged with the inadequate funding provided under the FY2001 Foreign Operations Appropriations bill. It is my hope that we will be able to resolve many of the shortcomings in this bill and bring the funding levels closer to the Administration's request. However, in its current form, I regret that I will have to vote against this bill and I urge my colleagues to do the same.

THE HONORABLE D. JOSE MANUEL
MOLINA GARCIA

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 2000

Mr. ORTIZ. Mr. Speaker, I rise today to ask the United States House of Representatives to join me in offering a national welcome to a very special visitor to the City of Corpus Christi, the Mayor of Toledo, Spain, Excmo. Sr. D. Jose Manuel Molina Garcia.

Mayor Garcia is in my congressional district today as the guest of Corpus Christi's Sister Cities Committee. Toledo, Spain is a sister city of Corpus Christi in the U.S.A. The Sister Cities Committee is an important international economic engine in the Coastal Bend of Texas. I offer my congratulations to the Sister City Committee for the good work that they do.

Even before the advent of the North American Free Trade Agreement, Corpus Christi was becoming a leader in international trade. With the trading agreements we have made in the past decade, the international trade in our area has skyrocketed. The Sister City Committee has had much to do with this dynamic.

The Mayor of Toledo, Spain, Excmo. Sr. D. Jose Manuel Molina Garcia, is a very accomplished leader in Spain and has been active in government and economic affairs during the course of his career. He has served as a Senator and national congressman in Spain's legislature. He is well-versed in matters related to economics, he was schooled as an accountant and an attorney.

Since the official business of the House of Representatives keeps me here today, I wanted to ask the House to join me in offering our best wishes to the Sister Cities of Corpus Christi, U.S.A., and Toledo, Spain. Let us also

welcome the Honorable D. Jose Manuel Molina Garcia to our country.

RECOGNIZING JULETTE O'MEALLY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 2000

Mr. TOWNS. Mr. Speaker, I rise today to recognize Julette O'Meally, President of Agape Development Services.

Ms. Julette Hernandez O'Meally has been in the business of managing, developing and training people for more than 15 years. She has served in hospitality, health care and other service industries in the United States and the Caribbean. Her clients range from Fortune 100 companies to individual entrepreneurs.

Whether on an organizational or an individual level, her work centers around increasing the profitability and effectiveness of her clients—by focusing on the personal/professional development of each person, as well as on the development of the organization. This is done through consultations, workshops and individual coaching sessions. Her work with recent clients includes creating, developing and delivering comprehensive orientation programs and training initiatives in customer service, supervisory/management development and communication skills. Ms. O'Meally has held a variety of operations management positions in the hospitality and retail industries. This management experience adds a certain level of credibility and depth of knowledge to the training programs she develops.

Ms. O'Meally is also the founder of the Beethoven Reading Club—a non-profit organization dedicated to the inspiration and development of children. Ms. O'Meally has recently written a book on how to raise self-esteem in children and their parents. She is also a co-founder of Agape Community Services, which offers free workshops and consultations to nonprofit organizations.

Mr. Speaker, I ask you and all of my colleagues to join me in recognizing the lifelong efforts of Julette O'Meally, and wish her continued success in her future endeavors.

NAUM FALKOVICH

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 2000

Mr. BARTON of Texas. Mr. Speaker, I have the privilege of acknowledging the former Naum Falkovich, an immigrant from the Ukraine. As Supervisor for the Transportation Authority, Mr. Falkovich helped to clean up the world's worst nuclear disaster at Chernobyl in 1986. He made daily trips to the nuclear disaster to ensure proper evacuation, while his wife, Lyusya Falkovich, helped clothe those in the immediate area of the disaster. Mrs. Falkovich later received a medal for her special efforts during the disaster.

In 1993, their desire to escape a land of religious persecution motivated the family to sell all of their belongings, including the precious medal. The Falkovich family sought refuge in

America, a land where opportunities are boundless and freedoms are afforded to every human. Fearing his death would arrive before his citizenship, Mr. Falkovich's family contacted my office seeking assistance to expedite the naturalization process. On June 9, 2000, just hours before his death, the 71 year old immigrant named Naum Falkovich received his last wish and became a citizen of the United States. Only a few hours later the proud U.S. citizen lost his grueling battle with cancer.

I speak today to honor Mr. Falkovich, and his courage to seek a better life for himself and his beloved family.

TRIBUTE TO THE LATE ETTA
STANKO

HON. CHRISTOPHER SHAYS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 2000

Mr. SHAYS. Mr. Speaker, I rise to pay tribute to one of Darien, Connecticut's most notable volunteers and political activists, and my friend, Etta Stanko, who died June 12 at her home. She was 75 and had lived here for more than 40 years. I would like to read into the record excerpts from a news article of June 15, 2000, written by Locker McCarthy of the Darien News-Review, celebrating her life.

"One of her best friends and a fellow former president of the Darien Community Association, Marge Harrington, said she had known Ms. Stanko and her family 'since they moved to Noroton Bay, where we were, about 35 years ago. She used to call herself a 'professional volunteer,' recalled Ms. Harrington, 'and she certainly did a lot of things. She was everyone's dream volunteer—when she believed in a cause she gave 100 percent. She was a good person and a good friend,' said Ms. Harrington. 'We were with her just last Friday and we went to see 'Small Time Crooks,' and we all laughed.'"

"Just three weeks before her death, Ms. Stanko was notified she was to be the next recipient of the Georgina B. Davis Award for her outstanding fund raising efforts on behalf of the Western Connecticut Chapter of the National Multiple Sclerosis Society. Ms. Stanko became involved in trying to further research into M.S. after another past president of the D.C.A. became afflicted with the disease, and so became one of the original members of the Western Connecticut Chapter's committee that sponsors the annual March into Spring fashion show. 'She's been a very good friend since 1978,' said Chapter Director Loretta Weitzel. 'She was a wonderful woman, a mentor, and we'll miss her.'"

"Ms. Stanko was also an ardent leader of town Republicans. For 10 years she served on the Republican Town Committee, and was for two years, a decade ago, its president. She was elected to the Representative Town Meeting every two years from 1986 to 1996, when she did not to run."

"She was not a reticent member of the RTM, and with her high, piping voice, reminiscent in tone if not in content to Eleanor Roosevelt's, she was an instantly recognizable member of this town's political class. Former First Selectman Henry Sanders said, 'She represented reason and stability and meant a lot