

a trustee or receiver of a company if appointed by a court.

This section of the legislation closely tracks the existing injunction provision (Section 311) of the Small Business Investment Act of 1958. Again, it is the Committee's intent that oversight of the NMVC program be modeled after that developed for the SBIC program and administered by SBA's Investment Division. This oversight should include a close working relationship between SBA analysts and NMVC management teams, detailed reporting requirements, frequent on-site examination to evaluate performance and conformance with the operating plan, and careful analysis of the firm's economic impact.

Section 364. Additional Penalties for Noncompliance

Grants SBA or the Attorney General the authority to file a cause of action against an NMVC company for noncompliance. Should a court find that a company violated or failed to comply with provisions of this legislation or other provisions of the Small Business Investment Act of 1958, this section grants SBA the authority to void the participation agreement between the company and the SBA.

Section 365. Unlawful Acts and Omissions; Breach of Fiduciary Duty

Defines what is to be considered as a violation of this legislation, who is considered to have a fiduciary duty, and who is ineligible to serve as an officer, director, or employee of any NMVC company because of unlawful acts.

This section of the legislation closely tracks the unlawful acts provision (Section 314) of the Small Business Investment Act of 1958. It is the Committee's intent to grant SBA the same authority over NMVC companies that it has over Small Business Investment Companies with respect to unlawful acts and the breach of fiduciary responsibility.

Section 366. Removal or Suspension of Directors or Officers

Grants SBA the authority to use the procedures set forth in Section 313 of the Small Business Investment Act of 1958 to remove or suspend any director or officer of any NMVC company.

Section 367. Regulations

Authorizes the Small Business Administration to issue such regulations as it deems necessary to carry out the provisions of the legislation.

Section 368. Authorization of Appropriations

Authorizes appropriations for the Program for Fiscal Years 2001 through 2006. This section authorizes such subsidy budget authority as necessary to guarantee \$150,000,000 of debentures and \$30,000,000 to make operational assistance grants.

The Committee estimates that the Program will only require a one-time appropriation of \$45 million—\$15 million for loan guarantees and \$30 million for operational assistance grants. This \$15 million will allow SBA to back \$150 million in loans to small business in low- or moderate-income areas.

Section 368(c). Conforming Amendment

Makes a conforming change to the Small Business Investment Act of 1958 to account for the changes made by this legislation.

Section 368(d). Calculation of Maximum Amount of SBIC Leverage

Allows Small Business Investment Companies ("SBICs") to obtain additional access to leverage outside the statutory caps. The exemption of the SBICs, however, is limited only to investments they make in LMI areas.

This section provides that investments made in LMI areas will not apply against the

leverage cap of the individual SBIC as long as the total amount invested through the program does not exceed 50% of the SBIC's paid-in capital.

Section 368(e). Bankruptcy Exemption

Adds NMVC companies to the list of entities that may not be considered a debtor under a Title 11 bankruptcy proceeding.

Section 368(f). Federal Savings Associations

Amends the "Home Owners Loan Act" to allow federal savings associations to invest in an NMVC company formed under this legislation so long as the investment would not exceed 5 percent of the capital and surplus of the savings association.

Section 102. BusinessLINC Grants and Cooperative Agreements.

H.R. 5663, also contains section 102 which establishes the BusinessLINC program, designed to promote business growth in inner cities and economically distressed rural areas by matching large and small firms into business-to-business partnering and mentoring relationships. BusinessLINC would accomplish this by providing seed funding to third party entities such as local Chambers of Commerce to promote such relationships. In addition to seed funding, such entities will also receive funds for technical assistance programs to small businesses to supplement the mentor-protégé relationships established as a result of BusinessLINC.

BusinessLINC helps businesses by providing online information and a database of companies that are interested in mentor-protégé programs.

Grants may be made to a coalition/combination of private and public entities only if the coalition/combination provides an amount, either in kind or in cash, equal to the grant amount for the purposes above.

Despite the unprecedented economic prosperity we are experiencing in this country, there are several areas of the country that have still not achieved parity. These areas are primarily inner cities, rural areas, and Native American communities. BusinessLINC will enable business opportunities for small businesses who would otherwise have no access to outside larger markets. While these small businesses have strong potential, they are located in communities where corporate America would not necessarily look. BusinessLINC will break that barrier. When the BusinessLINC model has been applied in the past, small businesses have seen growth as much as 45 percent. With this assistance, the local community will be charting its own path to recovery. The "LINC" in BusinessLINC stands for "Learning, Information, Networking and Collaboration."

Section 102 adds a new paragraph (n) "BusinessLINC Grants and Cooperative agreements." to section 8 of the Small Business Act.

Paragraph (l) allows the Administrator to make grants or enter into cooperative agreements with any coalition/combination of private and/or public entities to (a) promote business-to-business relationships between large and small businesses and (b) to provide online information and a database of companies that are interested in mentor-protégé programs.

It is the opinion of the Committee that private and/or public entities eligible for grants should be limited to chambers of commerce and other not-for-profit business organizations. The Committee intend that grant money be provided to large businesses. Further, if a grant is made to a combination of entities, one entity must take a lead position.

It is further the opinion of the Committee that promotion of business-to-business rela-

tionships between large and small businesses referenced in paragraph (a) above should include the facilitation of such relationships as mentor-protégé, prime/subcontractor, and teaming.

The Committee intends that an element to be considered by the Administrator when evaluating a grant proposal, shall be the training of small businesses or "protégés." An additional evaluation element intended by the Committee shall be measurable goals to be achieved through the business-to-business partnerships.

The Committee further intends that the online database referenced in paragraph (b) above, should make use of the SBA's current PRO-Net database to the greatest extent practicable. The Committee is concerned that online privacy issues should also be addressed by the SBA in the implementation of the databases. Further, it is the Committee's opinion that the databases should be vigilantly maintained by the SBA to ensure that only firms eligible to be mentors should be included in the mentor database, and only those firms eligible to serve as intermediaries should be included in the intermediary database.

Paragraph (2) specifies that the Administrator may make grants as long as the coalition/combination of public and/or private entities provides an amount, either in kind or in cash, equal to the grant amount for the purposes delineated in paragraph (l) above.

The Committee is well aware that it may be difficult for some entities to raise their entire match during the application stage. Those entities that are unable to raise the required match, but have submitted to the Administrator a reasonable plan to meet the requirement, may be granted a conditional approval from the Administrator and be allowed to draw one dollar of federal matching funds for every dollar of private funds raised. This conditional approval shall be made with the expectation that the required funding commitments will be obtained within two years of the conditional approval.

The Committee believes that it is important to give entities the flexibility to obtain the required private operational assistance funds, however, from a safety and soundness standpoint, federal funds should not be placed at greater risk than private capital.

Paragraph (3) specifies the authorization for the program for fiscal years 2001 through 2003. This amount shall be \$6,600,000 for each of the three fiscal years.

TRIBUTE TO MR. J. KEYS WRIGHT
OF TRINITY, AL

HON. ROBERT E. (BUD) CRAMER, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. CRAMER. Mr. Speaker, today I pay tribute to Mr. J. Keys Wright of Trinity, Alabama. He has captured so poignantly the troubles we face today with explosions of ethnic cleansing and civil warfare across the globe.

Mr. Wright, an established poet in my district, wrote this poem "Sons" in January of 1995. It is especially appropriate to be heard now as we begin this new millennium and we are still plagued with daily new reports tallying the murders and assaults caused by hatred and misunderstanding. I would like for his words of wisdom to be printed, therefore, I submit the following into the CONGRESSIONAL RECORD for others to see and learn.

"Sons"

Sons of Mother Russia, Loyal

Chechens, Brothers of Israel,
 Muslim, Christian, Irishman,
 Briton, Children of One God.
 Run Don't Walk Away from
 There, Leave these Fields of Death, Murder
 No One Else.
 Kill no Other Mother's Child
 Born of Love and Passion,
 Killed by Hate and Greed, To Satisfy an Ambitious Lie.
 Fight No More My Brothers,
 Our Children, Brothers of My
 Soul, Leave Their Killing to Them.
 Their Hearts have Drawn and
 Withered, Their Minds are Dark
 And God, These Ones without A Soul.
 Sons of Mother Russia, Loyal
 Chechens, Brothers of Israel,
 Muslims, Christian, Irishman,
 Briton, Children of One God.

NUCLEAR AGE PEACE
 FOUNDATION

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mrs. CAPPS. Mr. Speaker, today I bring to the attention of my colleagues, a thoughtful article by David Kreiger which appeared in *The Santa Barbara Independent*, entitled "An Open Letter to the Next U.S. President: Abolish Nuclear Weapons." I submit the following article into the CONGRESSIONAL RECORD.

[From the *Santa Barbara Independent*, Oct. 12, 2000]

AN OPEN LETTER TO THE NEXT U.S.
 PRESIDENT: ABOLISH NUCLEAR WEAPONS
 (By David Krieger)

The city of Hiroshima's Peace Declaration on August 6, 2000, stated, "If we had only one pencil we would continue to write first of the sanctity of human life and then of the need to abolish nuclear weapons." The citizens of Hiroshima have horrendous first-hand knowledge of the devastation of nuclear weapons. They become the unwitting ambassadors of the Nuclear Age.

If we wish to prevent Hiroshima's past from becoming our future, there must be leadership to reduce nuclear dangers by vigorous efforts leading to the total elimination of all nuclear weapons from Earth. This will not happen without U.S. leadership, and therefore your leadership, Mr. President, will be essential.

Also in the Peace Declaration of Hiroshima is this promise: "Hiroshima wishes to make a new start as a model city demonstrating the use of science and technology for human purposes. We will create a future in which Hiroshima itself is the embodiment of those 'human purposes.' We will create a 21st century in which Hiroshima's very existence formulates the substance of peace. Such a future would exemplify a genuine reconciliation between humankind and the science and technology that have endangered our continued survival."

With this promise and commitment, Hiroshima challenges not only itself, but all humanity to do more to achieve a "reconciliation between humankind and science and technology." The place where this challenge must begin is with the threat posed by nuclear weapons.

At the 2000 Non-Proliferation Treaty Review Conference, the U.S. and the other nuclear weapons states made an "unequivocal undertaking . . . to accomplish the total elimination of their nuclear arsenals." This

commitment is consistent with the obligation in Article VI of the Non-Proliferation Treaty, and with the interpretation of that obligation as set forth unanimously by the International Court of Justice in its landmark 1996 opinion on the illegality of nuclear weapons.

In addition to moral and legal obligations to eliminate nuclear weapons, it is also in our security interests. Nuclear weapons are the greatest threat to the existence of our nation and, for that matter, the rest of the world. The American people and all people would be safer in a world without nuclear weapons. The first step toward achieving such a world is publicly recognizing that it would be in our interest to do so. That would be a big step forward, one that no U.S. president has yet taken.

In the post-Cold War period, U.S. policy on nuclear weapons has been to maintain a two-tier structure of nuclear "haves" and "have-nots." We have moved slowly on nuclear arms reductions and have attempted (unsuccessfully) to prevent nuclear proliferation. We have not given up our own reliance on nuclear weapons, and we have resisted any attempts by NATO members to re-examine NATO nuclear policy.

One of the early decisions you will be asked to make, Mr. President, is on the deployment of a National Missile Defense. While this resurrection of the discredited "Star Wars" system will never be able to actually protect Americans, it will anger the Russians and Chinese, undermine existing arms control agreements, and most likely prevent future progress toward a nuclear weapons-free world. The Russians have stated clearly that if we proceed with deploying a National Missile Defense, they will withdraw from the START II Treaty and the Comprehensive Test Ban Treaty. This would be a major setback in U.S.-Russian relations at a time when Russia has every reason to work cooperatively with us for nuclear arms reductions.

In fact, Russian President Putin has offered to reduce to 1,500 the number of strategic nuclear weapons in START III. Well-informed Russians say that he is prepared to reduce Russia's nuclear arsenal to under 1,000 strategic weapons as a next step. We have turned down this proposal and told the Russian government that we are only prepared to reduce our nuclear arsenal to 2,000-2,500 strategic weapons in START III. This is hard to understand because reductions in nuclear weapons arsenals, particularly the Russian nuclear arsenal, would have such clear security benefits to the United States.

The Chinese currently have some 20 nuclear weapons capable of reaching U.S. territory. If we deploy a National Missile Defense, China has forewarned us that they will expand their nuclear capabilities. This would be easy for them to do, and it will certainly have adverse consequences for U.S.-Chinese relations. Additionally, it could trigger new nuclear arms races in Asia between China and India, and India and Pakistan.

North Korea has already indicated its willingness to cease development of its long-range missile program in exchange for the development assistance that they badly need. We should pursue similar policies with Iraq, Iran, and other potential enemies. We should vigorously pursue diplomacy that seeks to turn potential enemies into friends.

Rather than proceeding with deployment of a National Missile Defense, we should accept President Putin's offer and proceed with negotiations for START III nuclear arms reductions to some 1,000 to 1,500 strategic nuclear weapons on each side. Simultaneously, we should provide leadership for multinational negotiations among all nuclear weapons states for a Comprehensive Treaty

to Eliminate Nuclear Weapons. This would be a demonstration of the "good faith" called for in the Non-Proliferation Treaty.

In addition to these steps, there are many more positive steps that require U.S. leadership. Among these steps are de-alerting nuclear forces, separating warheads from delivery vehicles, providing assurances of No First Use of nuclear weapons, establishing an accounting for all nuclear weapons and weapons grade materials in all countries, withdrawing nuclear weapons from foreign soil and international waters, and providing internationally monitored storage of all weapons-grade nuclear materials.

The United States is a powerful country. It will have enormous influence, for better or for worse, on the future of our species and all life. Continuing on with our present policies on nuclear weapons will lead inevitably to disaster. Millions of Americans know that we can do better than this. Because these weapons are in our arsenal now does not mean they must always be, if we act courageously and wisely.

We need to set a course for the 21st century that assures that it will be a peaceful century. The lack of leadership to end the nuclear threat to humanity's future is unfortunately augmented by other unwise policies that we pursue. Our country must stop being the arms salesman to the world, the policeman for the world, and the chief trainer for foreign military and paramilitary forces.

We need to become an exporter and promoter of democracy and decency, human rights and human dignity. If these values are to be taken seriously abroad, we must demonstrate their effect in our own society. To do this, we need to reduce rather than increase military expenditures. We are currently spending more on our military than the next 16 highest military-spending countries combined. This is obscene and yet it goes unchallenged. It is another area where presidential leadership is necessary.

We live in a world in which borders have become incapable of stopping either pollution or projectiles. Our world is interconnected, and our futures are interlinked. We must support the strengthening of international law and institutions. Among the treaties that await our ratification are the Comprehensive Test Ban Treaty, the Land Mine Prohibition Treaty, the Treaty on the Rights of the Child, the Treaty on the Law of the Sea, the Convention on the Elimination of All Forms of Discrimination Against Women, and the Treaty for an International Criminal Court.

Mr. President, I have watched many of your predecessors fail to act on these issues. You have the opportunity to set out on a new path, a path to the future that will bring hope to all humanity. I urge you to accept the challenge and take this path. Be the leader who abolishes nuclear weapons. It would be the greatest possible gift to humanity.

EXPRESSING THANKS TO COMMITTEE ON INTERNATIONAL RELATIONS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. GILMAN. Mr. Speaker, S. 2943, S. Con. Res. 138, and S. Con. Res. 158 are likely the last matters I will bring to the floor in my capacity as Chairman of the Committee on International Relations. I have had the honor of