

.9375% or 15/16 of 1% payable annually by the small business borrower;

.125% or 1/8 of 1% payable annually by the certified development company; and

.50% or 1/2 of 1% payable by the first mortgage lender on the amount of its loan.

These fees are sunset September 30, 1997.

The bill would extend these fees for three additional years, but would expressly limit the amount to the amount necessary to continue the program at a zero subsidy level. If the subsidy rate declined in the future, SBA would be required to reduce the fee.

### 3. PREMIER CERTIFIED LENDERS PROGRAM

1994 legislation authorized SBA to establish a premier certified lenders program consisting of up to 15 certified development companies which would receive delegated authority from SBA to approve debentures on behalf of the Agency. In return, the CDC would agree to establish a loss reserve and be responsible for re-paying SBA for up to 10% of any loss on such debentures. The program was sunset September 30, 1997.

The bill would make this a permanent program and eliminate the ceiling on the number of participants. It would also modify the program by:

tightening eligibility standards by requiring that CDC applicants demonstrate their proficiency in closing and servicing loans over at least the last two years;

delegating authority to the CDC to liquidate loans which default;

allow the CDC to fund its reserve fund by deposits in a Federally insured institution or by an irrevocable letter of credit; and

Limit the amount of the required reserve fund to 10% of the CDC's exposure, but specifically require the CDC to replenish the reserve fund within 30 days of the payment of any loss or pay the loss from separate funds; and allow the CDC to withdraw the applicable deposit from the reserve fund when the loan is re-paid.

It also would direct SBA to separately determine both the default rate and the recovery rate on liquidated loans for premier CDCs and to compare it to the default and recovery rates on CDC loans by nonpremier companies. This data would be used to evaluate the adequacy of the reserve fund and to permit reductions, if appropriate.

### 4. MULTIPLE BORROWERS IN ONE PROJECT

The existing statute references SBA authority to a "small business concern" (singular), which SBA interprets as precluding several small businesses obtaining financing to participate and locate their businesses in one facility.

The bill would clarify that multiple small businesses can seek funding to participate in one project site (similar to the authority for multiple borrowers under the 7(a) program).

### 5. PARTIAL LEASES OF PROJECT PREMISES

Under current statute, a borrower cannot buy or construct the property unless the borrower will use all of the property (i.e., he cannot lease the property to another except partially for a limited time and only upon a showing of the need for future expansion). This is basically a reflection of policy that SBA does not make loans to landlords. It does, however, prohibit a growing legitimate business concept—lease of part of the property for an unrelated purpose, e.g., a mini-mart as part of a gasoline service station.

The bill would authorize a borrower to lease not more than 25% of the property.

### 6. PROJECT FINANCING AND COLLATERAL

1996 legislation is being interpreted to preclude the seller of property from providing the 15-20% down payment mandated to be made by the borrower/purchaser. Seller financing of the requisite amount, either solely or in combination with the buyer/bor-

rower, would provide the same safety to the SBA funding.

The bill would permit seller financing to provide the requisite down payment.

The bill would also specify that collateral be valued at the estimated sale price between a willing buyer and seller and that any decision to require the borrower to provide non-project property as collateral for the loan may be made only on a case by case basis.

## ON THE OCCASION OF THE DEATH OF JAMES M. FOX

### HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. SESSIONS. Mr. Speaker, I come to the floor today with deep regret, to talk about the death of one of America's finest public servants. James M. Fox, the former Deputy Director of the FBI with the responsibility for the New York office, died on the morning of Friday, May 15.

James Fox was a dedicated agent of the FBI, serving a distinguished career of 31 years. He served in Bureau offices in New Haven, Chicago, San Francisco, Los Angeles, and in FBI headquarters in Washington, DC. He concluded his successful career heading up the FBI office in New York City.

As a renowned expert in terrorism, espionage, and organized crime, Mr. Fox played major roles in the investigation of the bombing of the World Trade Center and the conviction of Mafia boss, John Gotti.

Mr. Fox received a Man of the Year/Distinguished Public Service award from the Police Department's Finest Foundation, St. John's University, John Jay College, the Professional Investigators' Association, Detective Endowment's Association, National Father's Day Committee, and the Ellis Island Medal of Honor Society. In November 1992, New York Governor Mario Cuomo awarded Mr. Fox the State's Law Enforcement Executive of the Year award. Clearly, Mr. Fox contributed significantly to law enforcement throughout this Nation.

Mr. Fox was a consultant on terrorism matters for CBS news, and was frequently seen on network TV regarding espionage and organized crime, his other areas of expertise during his 31 years at the FBI. In further service to his community, Mr. Fox served on the board of directors for the National Center for Missing and Exploited Children, the New York City Police Foundation, and the New York Citizens Crime Commission.

I want to send my condolences to the Fox family, including his widow, Elaine, and his two daughters. Mr. Fox exemplified the very best in public service, and did so much to ensure the safety and security of the citizens of this great Nation. He was dedicated to law enforcement, the Bureau, and the American people. We owe him and his family a debt of gratitude, and I urge my colleagues to join me in sending his family our best wishes.

## MAINE LEGISLATURE SPEAKS ON A GLOBAL LANDMINE BAN

### HON. THOMAS H. ALLEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. ALLEN. Mr. Speaker, I would like to share with my colleagues a resolution passed by the Maine State Legislature last month on the subject of landmines. I am informed that this is the first time any State legislature in the country has gone on record calling for the elimination of antipersonnel landmines. The resolution calls on the President to negotiate an international ban on the production, use, and stockpiling of antipersonnel landmines, and to pursue an international treaty through the Ottawa process by this December. It also asks State agencies to help, as far as practicable, in the rehabilitation of landmine victims living in Maine.

I am pleased that the legislature from my State has sent this message, and I hope that it will encourage legislatures in other States to adopt similar measures. The U.S. Campaign to Ban Land Mines, a coalition of over 200 nongovernmental organizations, is taking this approach to generate attention at the State and local level for a global landmine ban. I appreciate the work of the mid-coast chapter of the American Red Cross, and Julie Groom-Thompson, director of the Brunswick office, in helping the effort to get the resolution through the legislature in Augusta.

An antipersonnel landmine ban is an urgent need. Each year, as many as 26,000 people are killed or maimed by these hidden weapons in the ground, and most are innocent civilians who stumble upon the mines as they are plowing a field or walking along a road, often many years after the mine was planted. This means one victim every 22 minutes. The numbers are astounding—Cambodia has some 10 million still in the ground; Angola, 15 million; and Bosnia, 3 to 6 million. While each small, plastic landmine costs only a few dollars to produce, each costs thousands of dollars to remove. The removal costs are daunting, but the related economic costs, in lost productivity and human lives—are incalculable.

Recognizing the scourge of landmines, several governments, along with diverse nongovernmental organizations in many countries, have mobilized to institute a global ban on the production and use of antipersonnel landmines. In May 1996, President Clinton announced his commitment to lead a global effort to ban landmines. Later in the year, the governments of 50 countries met in Ottawa to draft a plan to outlaw landmines through an international treaty, which would be ready for signature in December, 1997. This past January, the administration announced it would not support the Ottawa process, and instead decided to pursue a ban through the United Nations Conference on Disarmament. While the U.N. process is an appropriate international forum for this issue, the practical result of this option is to delay indefinitely an international agreement on a landmine, since recalcitrant countries like China are able to block action.

The resolution passed by the Maine Legislature calls on the President to endorse the Ottawa process, and I believe this is the right approach. We cannot afford to wait while dozens of innocent civilians are killed or injured

each day. I commend the Senator PAT LEAHY and Representative LANE EVANS for their leadership in advocating for a landmine ban, building support in Congress, and seeking funding for humanitarian aid and landmine clearance activities. I support their efforts. Again, I applaud the message sent by the legislature in my State, and hope those in other States can do the same.

I ask that a copy of the resolution be printed in the RECORD.

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES TO NEGOTIATE A BAN ON ANTIPERSONNEL LAND MINES

We, your Memorialists, the Members of the One Hundred and Eighteenth Legislature of the State of Maine now assembled in the First Special Session, most respectfully present and petition the President of the United States, as follows:

Whereas, antipersonnel land mines are munitions placed by hand under, on or near the ground or other surface area or delivered by artillery, rocket, mortar or similar means or dropped from an aircraft and that are designed, constructed or adapted to be detonated or exploded by the presence, proximity or contact of a person; and

Whereas, an average of 71 people, the overwhelming majority of whom are civilians, are killed or maimed every day by antipersonnel land mines; and

Whereas, the estimated 80,000,000 to 110,000,000 antipersonnel land mines strewn across at least 64 countries cause havoc in the economies of developing nations: refugees can not return home, farmers can not till the fields, relief shipments can not be delivered, herd animals can not approach water holes, health care systems are overwhelmed by land mine victims and clearance costs are extraordinary; and

Whereas, the ecological and economic impact of antipersonnel land mines has yet to be fully calculated as they render arable land useless and contribute to over-farming of suitable land; and

Whereas, the United States has been a major producer and exporter of antipersonnel land mines for most of the past 25 years; and

Whereas, the cost, to the American taxpayers of salaries, equipment, transportation and other needs, of removing antipersonnel land mines was approximately \$17,000,000 from 1989 to 1996 and will continue to adversely affect the civilian sector of the United States economy; and

Whereas, despite international momentum for a global ban on antipersonnel land mines, a recent United Nations conference failed to negotiate a ban; and

Whereas, at the Ottawa International Strategy Conference in Ottawa, Canada in October 1996, the governments of 50 nations adopted the "Ottawa process" recognizing the urgent need for a ban on antipersonnel land mines and outlined actions for reaching a ban rapidly in the hope of signing a treaty to ban antipersonnel land mines in Ottawa in December 1997; and

Whereas, in Cambodia, approximately one of every 236 people is an amputee from a land mine injury and there are approximately 7,000,000 to 9,000,000 uncleared land mines or approximately one for each citizen of the country; and

Whereas, Maine is home to refugees from Southeast Asia, Afghanistan, Africa, Central America, Bosnia-Herzegovina, Croatia and elsewhere whose lives have been and continue to be directly affected by loss of life, maiming and economic havoc caused by antipersonnel land mines, including those that the United States implanted during warfare in Southeast Asia or exported to other countries; now, therefore, be it

Resolved: That We, your Memorialists, urge the President of the United States to fulfill his commitment to negotiate an international ban on the manufacture, stockpiling, transfer and use of antipersonnel land mines, with a view to completing the negotiations as soon as possible, by active participation in the Ottawa process by which an international treaty banning antipersonnel land mines will be ready for signing in December 1997; and be it further

Resolved: That the appropriate bureaus, departments or agencies of the State of Maine coordinate with and assist, as far as practicable, community-based organizations or groups with rehabilitating victims of land mines who reside in Maine; and be it further

Resolved: That a suitable copy of this resolution be prepared and presented by the Secretary of State to the Honorable William J. Clinton, President of the United States, each member of the Maine Congressional Delegation and United States Secretary of Defense, William S. Cohen.

IN HONOR AND REMEMBRANCE ON  
MEMORIAL DAY

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 22, 1997*

Mr. FRELINGHUYSEN. Mr. Speaker, on Memorial Day, we remember those who died for our country.

There is something both haunting and mysterious about Memorial Day that makes it a special day every year. At the first commemoration of Memorial Day, May 30, 1868, Senator James Garfield delivered an oration at Arlington National Cemetery in which he said: "I am oppressed with a sense of impropriety of uttering words on this occasion. If silence is ever golden, it must be here, beside the graves of 15 thousand men whose lives were more significant than a speech."

Our forefathers chose this day wisely knowing that during this time of year, we say goodbye to the spring season, as we embrace summer: the warm weather, the green grass and leaves of the trees, the freshness of the air and abundance of flowers, the crack of bats, the inevitable fireflies, the conclusion of the school year and the commencement of so many young people into new phases of their lives.

In fact, those high school seniors turning tassels best represent the youth of the heroes we remember today. When I reflect on wartime, the thing I most remember was that everyone who served with me was so incredibly young. Too often, we forget that wars are

fought by the young—men and women in the prime of their lives—18-, 19-, 20-years-old.

Our fallen heroes were young men and women just embarking on life's journey, with dreams of becoming doctors, lawyers, teachers, and owners of small businesses. They look risks. They played ball and danced until dawn. They were strong and seemingly immune to danger. But when their country called them, they went without question and without delay.

And they soon discovered, like many before them and after, that there is nothing glorious about war. Nothing is glorious about leaving a husband or wife to answer the call to serve one's country. There is no glory in a young child crying out for their mother or father who is serving in a faraway land. And it is real pain and sorrow—not glory—that parents feel when they say their final farewells to their children at military funerals.

The glory of youth has been cut short by many wars. Cut short by wars fought in places we had never heard of and surely against people we had never met. And sometimes for reasons we did not fully understand. But we supported them then and remember them now. And we must not become complacent in remembering the great cause for which they fought. These true patriots were our country's best and brightest and they deserve much more than a single holiday in spring.

There is glory in remembering their service, but it is their disappearance through death that forever changes our own lives and those that loved them. For families of those who've fallen, it may be an empty room at home, a faded family portrait, grandchildren never coming to visit, or a vacation never shared.

And so as we remember these blessed names on our memorials, admire the presentation of colors, recite the Pledge of Allegiance, sing our national anthem, and pray together, let us listen deeply to the playing of Taps and remember those men and women who died in service to our country.

At the end of World War I, John McCrae wrote a now-famous poem called In Flanders Field that manifests the challenge we have before us as we remember those who died for our freedom.

In Flanders Field the poppies blow  
Between the crosses, row on row,  
That mark our place; And in the sky,  
The larks, still bravely singing, fly  
Scarce heard amid the guns below  
We are the Dead. Short days ago  
We lived, felt dawn, saw sunset glow,  
Loved and were loved, and now we lie  
In Flanders Field  
Take up our quarrel with the foe:  
To you from failing hands we throw  
The torch; be yours to hold it high.  
If ye break faith with us who die  
We shall not sleep, though poppies grow  
In Flanders Field.

Let us all remember our brave warriors and hold their torch high. Thank you, God Bless You, and God Bless America.