

and accessible to the public by letting sunshine into our courtrooms.

TRIBUTE TO REPRESENTATIVE  
FLOYD FLAKE OF THE SIXTH  
CONGRESSIONAL DISTRICT OF  
NEW YORK

**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 12, 1997*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, my departing words for a good friend, Congressman FLOYD FLAKE are marked with good wishes and sadness. While Allen A.M.E. Church is gaining a great minister who will work full-time for his congregation, the United States House of Representatives will be losing a man of conviction, compassion, and remarkable legislative skill. I will miss him, as will this body, not only as a lawmaker but as a valued friend.

Congressman FLAKE has brought together the spirituality of the church, the innovation of the private sector, and the laws of the Government to produce economic revitalization for his congregation and the entire Sixth Congressional District.

November 7, Congressman FLAKE said his formal goodbye to the House of Representatives. For the first time, he told Members as well as the C-SPAN viewing audience about his inspirational road to success in the ministry, academia, and Congress. Never until that day had he told people about his long days of work and long nights of studying to earn his undergraduate degree or his doctorate of ministry. This is how we will remember Congressman FLAKE. We will remember a man who did not speak about his difficult road to success, rather, he spoke proudly about his service to God, his family, his district, and his country.

Congressman FLAKE was born in Los Angeles on January 30, 1945, and came to Houston, TX, to attend public school. After growing up in the great State of Texas, he studied at Wilberforce University in Ohio, earning his undergraduate degree. He continued to broaden his educational experiences in graduate programs at Payne Theological Seminary and Northeastern University. In 1994, he earned his doctorate of ministry degree from the United Theological Seminary in Dayton, OH.

Congressman FLAKE evolved from student to educator, serving as dean of students and university chaplain at Boston University in 1976. He served as the director of the Martin Luther King, Jr. Afro-American Center at Boston University from 1973 to 1976. From 1970 to 1973, he served as the associate dean of students, director of student activities at Lincoln University. Moving to business, he served as a market analyst for Xerox and as a sales representative for Reynolds Tobacco Co. He also served as a social worker for an early child development/Head Start program.

Mr. Speaker, Congressman FLAKE has lent his talents, energy, and concern for others to many activities. Congressman FLAKE always says that he has been blessed to have enjoyed so many successful endeavors. Personally, I would say that he has blessed so many people in so many areas.

Legislatively, I will remember his work on the Committee on Banking and Financial Serv-

ices and increasing investment opportunities for undeserved communities through the Bank Enterprise Act and the Reform of the Community Reinvestment Act.

Congressman FLAKE has done more than lecture and preach about the merits of self-sufficiency and job creation. Through his church, he has created local jobs, affordable homes, schools and multiservice centers that provide health care.

Mr. Speaker, it has truly been a pleasure to serve with the Congressman from New York's Sixth Congressional District. It will be even more of a pleasure to hear and witness his continued work in helping his community. Along with the many other Members of this body, I would like to give Congressman FLAKE my wishes of good luck and blessings.

HONORING IDA ECKHAUS

**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 12, 1997*

Mr. TOWNS. Mr. Speaker, I rise today to honor Ida Eckhaus, a pioneer in providing community living for people with mental disabilities.

Mrs. Eckhaus has always been committed to bringing vital services to the people of New York City. Through her efforts, she was one of the founding members of APRIL, the Association of Parents for Rehabilitation and Independent Living. She and her husband Sam, along with three other couples, got together with the simple plan of obtaining housing for persons who suffered mental illnesses. In those meetings, they found there were many more needs for the mentally ill. Out of those meetings, the organization grew to become one of the largest affiliated in the State.

In addition to her community advocacy, she enjoyed working with families and their loved ones. For years her personal telephone at home was a crisis hotline. No hour was too late, no problem too difficult, no person too distraught for her. She was always there to help in any way she could. Even after the installation of the APRIL Hotline, Mrs. Eckhaus continued to take her calls at home.

Mrs. Eckhaus was a person of superlatively high standards, complete integrity, and boundless enthusiasm for whatever task she undertook. Throughout her service, she also served on numerous boards including the Institute for Community Living and AMI/New York State and she also founded Summit House of Brooklyn.

Mr. Speaker, please join me in honoring Mrs. Ida Eckhaus and all her contributions to the community of Brooklyn.

CONGRATULATIONS TO  
LANCASTER LABORATORIES

**HON. JOSEPH R. PITTS**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 12, 1997*

Mr. PITTS. Mr. Speaker, today I would like to honor Lancaster Laboratories, a company in Lancaster, PA, recognized in the October issue of Working Mother magazine as one of the 100 best companies for working moms.

Even through the transition that Lancaster Labs has undergone over the past few years, this family-begun business has not only kept its emphasis on quality, but it once again has proved to be a successful company which values the family. By believing that a company can be committed to providing state-of-the-art services, and still manage people in a way that accommodates the hectic and activity-laden lives of working mothers and fathers, Lancaster Labs has succeeded in keeping their dedicated employees.

Lancaster Labs has been measured against standards of child care, flexibility, pay, opportunities to advance, and other family-friendly benefits. Although the company came out strong on each one of these, it is not because they attempted to meet some arbitrary yardstick, but because Lancaster Labs believes in creating a company that has fairness and family at the core of its existence. With fair pay, advancement for women, onsite child care, and the promotion of adoption, Lancaster Labs is an exemplary and prosperous part of our community.

Mr. Speaker, I congratulate this exceptional company for its holistic approach to the working environment. Many companies would be wise to learn from the Lancaster Labs' example, which says that enhancing the lives of working moms can significantly improve the overall performance of the company. I wish the very best to Lancaster Labs in the future.

CHARITABLE INCENTIVE GIVING  
ACT OF 1997

**HON. JENNIFER DUNN**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 12, 1997*

Ms. DUNN. Mr. Speaker, in this time of fiscal constraints, I am introducing today legislation that would encourage greater private sector support of important social, educational, nutritional, medical, and other necessary programs in local communities by restoring incentives for charitable giving of closely-held stock.

Governments on all levels, Federal, State, and local, are reducing spending throughout their budgets, including social programs. At the same time, society's needs for these programs cannot be overlooked. Congress should do all that it can reasonably do to encourage private philanthropic efforts at this critical stage in restructuring Government and returning responsibility to our local communities. Many of these services can be provided at the local level by charities that know the community best and can supply the most efficient and competent delivery of services. Public charities and private foundations already distribute funds to a very diverse, wide-ranging group of social support organizations at the community level on a timely basis.

To meet the resulting deficit in unmet social needs, Government cannot merely expect the private sector to fill the gap, but must provide the leadership for the use of private sector resources through changes in the Tax Code. One source of untapped resources for charitable purposes is closely-held corporate stock. Today the tax cost of contributing closely-held stock to a charity or foundation is prohibitive, and it discourages families and owners from disposing of their businesses in this manner.

This legislation would correct this problem by once again permitting certain tax-free liquidations of closely-held corporations into one or more tax exempt 501(c)(3) organizations.

Under current law, the problem with giving closely-held stock to charity is that the absence of a market for such stock and the typical pattern of small and sporadic dividends paid by such closely-held companies make it difficult for a charity to benefit from ownership of such stock. Accordingly, if such stock is given to a charitable organization, and in particular if a controlling interest is given, the corporation may have to be liquidated either by statutory requirement or to effectively complete the transfer of assets to the charity for its use. Under current law, such a liquidation would incur a corporate tax at a Federal rate of 35 percent. This cost is imposed as a result of the tax law changes made in 1986 that repealed the "General Utilities" doctrine and this imposed a corporate level tax on all corporate transfers, including those to tax exempt organizations. The charitable organization could also be subject to unrelated business income taxes. These tax costs make contributions of closely-held stock a costly and ineffective means of transferring resources to charity, and these are the costs I propose to eliminate in order to free up additional private resources for charitable purposes.

The legislation I introduce today eliminates the corporate tax upon liquidation of a qualifying closely-held corporation if certain conditions are met. Most importantly, qualification would require that 80 percent or more of the stock must be bequeathed at death to a 501(c)(3) tax-exempt organization. This bill also clarifies that the charity can receive mortgaged property in a qualified liquidation free from the unrelated business income tax for a period of 10 years. This change parallels the exemption from the unrelated business income tax [UBIT] for 10 years provided under current law for direct transfers by gift or bequest.

By eliminating the corporate tax upon liquidation, Congress would encourage additional, and much needed transfers to charity. Individuals who are willing to make generous bequests of companies and assets they have spent years building should not be discouraged by seeing the value of their gifts so substantially reduced by taxes. There will be a revenue cost to this legislation, probably in the hundreds of millions of dollars based on work the Joint Committee on Taxation has done on this concept over the past year. But it is crucial to remember that this cost represents charitable giving of many times that amount; by the same techniques used to estimate tax cost, it's estimated the giving stimulated to be as much as seven times the revenue cost, placing its value in the range of \$2 to \$3 billion. In short, this revenue impact represents the expectation of significant transfers to charity as a result of the legislation.

Good tax policy would advocate the broadest support of charitable giving. It is worthwhile to note that the individual donor does not receive any tax benefit from the proposal. All tax savings go to the charity. By inhibiting these charitable gifts, the Government not only hurts those individuals that most need the help of their Government and their community.

I welcome my colleagues' support and co-sponsorship for this legislation. I urge each Member to talk to their constituents about it and learn for themselves the response re-

ceived from those individuals and families in local communities in a position to make such a charitable gift of their business.

#### PERSONAL EXPLANATION

### HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. BALLENGER. Mr. Speaker, on Saturday, November 8, I missed rollcall votes 617 (H.R. 2631) and 618 (H.R. 2534). Had I been present I would have voted "yea" on both.

#### TRIBUTE TO EUGENE LESESNE

### HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. COYNE. Mr. Speaker, I rise today to pay tribute to one of my constituents, Mr. Eugene Lesesne of Pittsburgh, PA.

Eugene Lesesne, a U.S. Army veteran of World War I, will be 100 years old on November 19. Born in Sumter County, SC, he served in the Quartermaster Corps in France in the final months of the First World War. He moved to Pittsburgh shortly after his discharge in 1919 and has lived there ever since.

A quiet, unassuming person, Mr. Lesesne lived a life of hard work as a laborer. He was married twice, widowed twice, and was a father of four. Mr. Lesesne attributes his long life to the good habits instilled by his parents, whom he describes as "good Presbyterians who taught me to stay away from bad things." A longtime member of Grace Memorial Presbyterian Church, in 1968 he joined with church people of different races to form the Community of Reconciliation, an interracial, interdenominational church. He continues to sing tenor in that church's choir to this day and is noted for the natty way he dresses.

I commend him to this body as an example of a man who served his country overseas in his youth and came back home to lead an exemplary salt-of-the-Earth life.

#### COMMEMORATING THE 25TH ANNIVERSARY OF THE GREAT LAKES WATER QUALITY AGREEMENT

### HON. STEVE C. LATOURETTE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. LATOURETTE. Mr. Speaker, I rise today to commemorate the 25th anniversary of the Great Lakes Water Quality Agreement [GLWQA]. This groundbreaking agreement between the United States and Canada was signed on April 15, 1972, by President Richard Nixon and Canadian Prime Minister Pierre Trudeau as a binational pledge to reduce and prevent Great Lakes pollution. The GLWQA grew out of a need to reverse the decades-long trend of decline in the health and beneficial uses of the Great Lakes.

My constituents have been especially impacted by water quality since my district in-

cludes the longest Lake Erie shoreline of any Ohio congressional district. In the late 1960's, Lake Erie was considered to be a dead lake, with stinking mats of algae growing profusely, and huge parts of the lake rendered uninhabitable for fish due to lack of oxygen. After a comprehensive study of this problem was conducted, it became apparent that these problems were the result of eutrophication, or the overfertilizing of the lake. Too much phosphorus was being dumped into Lake Erie from various sources, including farms, factories, and private homes. The 1972 GLWQA included provisions for the reduction of phosphorus loadings into Lakes Erie and Ontario.

As a result of the 1972 GLWQA, phosphorus levels significantly decreased in the Great Lakes. In Lakes Erie and Ontario, phosphorus loadings have been reduced by almost 80 percent. The United States and Canada achieved this binational goal through improvements in sewage treatment, lowering the levels of phosphorus in detergents, and reducing agricultural runoff.

In 1978, the GLWQA was revised and the two countries pledged to restore and maintain the chemical, physical, and biological integrity of the waters of the Great Lakes basin ecosystem. Toxic substances were a major concern by the late 1970's, and the two countries committed themselves to achieving zero discharge of toxic substances in toxic amounts and the virtual elimination of persistent toxic substances. These persistent toxics bioaccumulate in organisms and increase in concentration up the food chain. Some of these substances, such as PCB's and dioxin, have been shown to cause adverse health effects in humans and wildlife.

Again, my constituents have been impacted by the constant plague of persistent toxics which were dumped into the lakes during a time when the consequences of pollution were not understood. The Ashtabula River and harbor in northeast Ohio was a dumping ground for toxic waste for years.

The 1987 protocol to the Great Lakes Water Quality Agreement reinforced the 1978 commitments of the United States and Canada and highlighted the importance of human and aquatic ecosystem health. Provisions were added to clean up 42 local areas of concern in the Great Lakes and included the development and implementation of remedial action plans [RAP's] and lakewide management plans [LaMPs].

The Ashtabula River and harbor was designated as an area of concern by the International Joint Commission [IJC] in 1985, and a remedial action plan has since been developed to clean the river up. Under the leadership of the IJC, a coalition of interested parties has worked continuously to make the Ashtabula River and harbor one of the first successful cleanup sites in the Great Lakes. The Ashtabula River Partnership has made great strides in recent years to secure the commitment of the Army Corps of Engineers to safely dredge the sediments and dispose of them in a manner consistent with our obligation to protect the environment.

The accomplishments under the GLWQA extend beyond my constituents' corner of the Great Lakes. As a result of the United States and Canadian commitment to reducing toxic substance releases, cormorants in the Great Lakes region have significantly increased in population from the 1950's to the 1970's levels