

She was the personification of the giving, loving person who are so rare in today's world. She served as an inspiration for many and will not soon be forgotten.

A recent editorial stated that: "Kathy Lukens is the mover of every developmentally disabled child, so committed has she been to showing Rocklanders and others they need not offer 'pity' but recognize that these people are 'gifts to us'."

In the mid 1960's, Kathy Lukens became an activist in order to help her own son, David, who was developmentally impaired. Her movement grew by leaps and bounds, due in good part to her energy and dedication. She first created a day care program specifically for children with developmental disabilities, and then became founder and first president of the Exceptional Child P.T.A. She established camp venture in 1969, the first all day summer camp program for the disabled. Today, it is open to all children.

Venture also operated 15 group homes for the challenged, affording them with a venue to conduct productive, normal lives. Over 1,000 individuals are served today by the programs Kathy Lukens initiated.

Kathy Lukens was born on Jan. 5, 1931, in Philadelphia, PA, the daughter of Joseph and Margaret Burge. She lived in Philadelphia before moving to New Jersey when she was 13 years old, attending elementary schools in Edgewater and Bergenfield.

Kathy attended Columbia University's graduate program and in 1952 graduated from Barnard College with distinction and a bachelor of arts degree in history.

Kathy married Dr. John H. Lukens, a clinical psychologist, in Bergenfield, NJ, in Sept. 1954. They moved to Rockland County in 1958, settling in Tappan.

Kathy was first employed as an elementary school teacher and as a newspaper reporter for the Bergen Record in New Jersey and the Rockland Independent and the County Citizen, both in Rockland County, prior to establishing camp venture in 1968.

Kathy was the author of two books: *Thursday's Child Has Far To Go* (1969) and *Song of David* (1989). Her early career encompassed an amazing amount of volunteer work. She co-founded the Tappan Zee Nursery School in 1959 and served as president of the Lockhart Nursery School in 1964.

In 1974, Kathy Lukens founded the Child Advisory Council of the Rockland County Legislature. She founded and was president of the Rockland County Exceptional Child Parent Teacher Association in 1958; was chair of the Rockland County Community Service Board from 1991 to 1997, and was vice chair from 1982 to 1985; was chair of the district planning focus group of the Letchworth transition group from 1995 to 1997; and the Board of Directors of the New York Foundling Hospital from 1985 to 1990.

Kathy Lukens was very active in the anti-nuclear movement in the 1960's, and was a participant in the famous march on Washington in 1963, at which Martin Luther King, Jr. gave his famous "I have a dream" speech.

Kathy was the first woman elected to the U.S. Catholic Bishop's Advisory Council in 1973 and co founded the Rockland County Catholic Interracial Council in 1963.

Kathy Lukens received honorary degrees from the College of New Rochelle, from Long Island University, St. Thomas Aquinas College

and the Dominican College. She was named Outstanding woman in Rockland County by the Association of the American Society of Women.

In 1984, Kathy Lukens was named 'woman of the year' in New York State by Governor Cuomo. Later that same year, the Governor bestowed upon her the Eleanor Roosevelt Community Service Award.

Lukens was appointed in 1985 to the New York State Advisory Council on Mental Retardation and Developmental Disabilities. Governor Pataki appointed her to the Provider Council of New York in 1996.

Among the major achievements of Kathy Lukens' life was the establishment of camp venture. She understood that those in our society who could not help themselves needed our time, our efforts, our energy and our love.

In summary, the life and career of Kathy Lukens is that of a truly unique lady who distinguished herself in more facets than most other people: an outstanding teacher, journalist, author, humanitarian, care giver and mother, Kathy Lukens was a renaissance person, who remained humble and unassuming regarding her own remarkable accomplishments. Those of us who had the honor of knowing and loving her were well aware that this modest lady was in fact one of the more remarkable persons we would ever encounter.

It is of some small gratification that Kathy remained with us long enough to see the new Center for Adult Living and Day Treatment Center in Sparkill named in her honor. It is a fitting tribute to this lady who gave so much for so many others.

We extend our deepest condolences to her widower, John, who for 44 years was truly her partner in goodness. We also extend our sympathies to her son, Daniel, who has now taken over the operations of camp venture, her son David, who inspired her to dedicate her life to others her son Mark who duplicated much of her work by helping found Crystal Run, a similar facility in Orange County, and her son Jonathan.

We extend our condolences to her daughter Margaret and to her nine grandchildren.

We also extend condolences to the thousands of individuals and their families whose lives were touched and made better by this exceptional lady.

Kathy Lukens, who left us too prematurely, will long be missed.

#### THE SMALL BUSINESS FRANCHISE ACT OF 1998

#### HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 14, 1998*

Mr. COBLE. Mr. Speaker, I rise today to introduce the Small Business Franchise Act of 1998.

Franchise businesses represent a large and growing segment of our nation's retail and service businesses and are rapidly replacing more traditional forms of small business ownership in our economy. As a result, franchise owners have become the heart and soul of America's economic engine and the backbone of local commerce. In fact, according to the International Franchise Association, a new franchised outlet opens every eight minutes

and the industry gave birth to tens of thousands of new jobs in the last year alone.

The franchisor/franchisee relationship is fundamentally an economic one where the objective of each party is to make money. By purchasing a franchise, a franchisee can sell goods and services that have instant name recognition, while the franchisor can increase market access with little or no risk. However, buyers should beware—like any investment, purchasing a well-known franchise is no guarantee for success. As I have studied this issue, I have come to realize that there is an uneven playing field for the small business person looking to become a franchise owner.

For instance, while pre-sale disclosure information must be made available to the buyer by the corporate franchisor, post-sale opportunities to pursue recourse for presentation of misleading or false information in the pre-sale negotiations are inadequate. I am introducing this legislation because I believe this gross inequity needs to be addressed.

Under present regulations, small business franchise operations are subject to the Federal Trade Commission's (FTC) trade regulation rule. The FTC issued this rule, entitled the "Disclosure Requirements and Prohibitions Concerning Franchising and Business Opportunity Ventures" on December 21, 1978, and under the Federal Trade Commission Act. The FTC rule requires franchisors to give prospective franchise purchasers financial details about the business and explain the arrangements in the franchise agreement. Well intentioned as this prospectus requirement is, as the old saying goes, "the devil is in the details," and I am afraid that much of this pre-sale information, while detailed, may be very misleading. After hearing many horror stories from franchise owners about the inaccuracy of pre-sale disclosure, I must question the reliability of this information. In fact, there are no current protections to ensure that this information is relevant and accurate. The FTC, the regulatory body with oversight responsibility, does not even review this material for accuracy as say the Securities and Exchange Commission must when a private company readies itself for a public stock offering.

The FTC enforces the franchise rule as part of its consumer protection mission. However, FTC enforcement is definitely lacking. Under current rules, franchisees do not have the right to sue franchisors for violations of the franchise rule. The FTC brings suit only on behalf of the federal government, not as a representative of individuals who may have been adversely affected. In July 1993, an audit by the General Accounting Office found that the FTC acted on less than six percent of all franchise complaints brought to its attention.

Because of the FTC's inability to review more franchise complaints, the FTC recently approved a plan to allow the largest corporate franchisors to self-regulate their own industries. Under this program, violators of franchise disclosure laws could avoid federal enforcement proceedings by attending what amounts to an industry-run reform school that it intended to teach franchisors how to comply with disclosure rules. And adding insult to injury, if the corporate violator completes this program, they do not have to report the infraction on disclosure documents available to prospective small business franchisees. Mr. Chairman, I venture to say that this FTC ruling threw full disclosure and due diligence for future franchise owners right out the window.

In the past 20 years, there has been tremendous change in the franchising industry, and as a result, I believe it is time for Congress to review the franchise rule and level the playing field for the thousands of small business owners who invest in franchise operations. The legislation that I introduce today, along with my distinguished colleague from Michigan, Congressman JOHN CONYERS, addresses the fundamental and necessary safeguards that this industry so desperately needs. I believe that the safeguards provided by this legislation level the playing field for small business franchisees across our nation. This legislation, like the Automobile Dealers Day in Court Act and the Petroleum Marketing Practices Act, rights the imbalance that has existed for too long in the franchisor/franchisee relationship.

Recognizing that it is too late to act on this legislation during the 105th Congress, I am hopeful that the 106th Congress will address this matter and ensure that this important segment of the small business world will remain viable for future generations.

WAIVING REQUIREMENT OF  
CLAUSE 4(b) OF RULE XI WITH  
RESPECT TO CONSIDERATION OF  
CERTAIN RESOLUTIONS RE-  
PORTED FROM COMMITTEE ON  
RULES

SPEECH OF

**HON. LOUIS STOKES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Saturday, October 10, 1998*

Mr. STOKES. Mr. Speaker, I rise in strong opposition to the martial law resolution, H. Res. 589. This measure waves the one-day layover requirement, guaranteed by House rules, and allows any appropriations bill, appropriations conference report or continuing resolution to be brought to the floor for a vote—today and for the remainder of the 105th Congress. This is yet another attempt by the Republican majority to prevent critical Democratic proposals from being brought to the floor for consideration.

In spite of the fact that the fiscal year is over, the Republican Congress has failed to complete the regular business of the House, including: Passing a budget resolution and concluding action on several appropriations bills.

Rather than legislating, House Republicans have focused their efforts on investigating. In fact, over the last four years, House Republicans have spent more than \$17 million on more than 50 politically-motivated investigations in the House. They have shown very little interest in creating positive legislative accomplishments that would benefit our Nation's working families. And, they have wasted valuable time on promoting excessively partisan issues.

Earlier this year, congressional Democrats joined the administration in introducing a comprehensive education proposal—which includes school modernization and class size reduction initiatives. These efforts are critical to ensuring that students across the United States are prepared for the twenty-first century. However, House Republicans have continuously blocked this legislation from being

considered on the floor. Instead, they have supported anti-public school initiatives such as school vouchers and budget cuts in essential education funding.

Mr. Speaker, recent polls indicate that the American voters are primarily concerned with improving public education in this country. However, the Republican 105th Congress has failed to act on legislation that would help to improve our Nation's public schools. School modernization and class size reduction legislation is vital to enabling local school districts to renovate and modernize their existing facilities as well as to build new classrooms that will enable them to effectively address rising school enrollments.

According to the General Accounting Office, our neighborhood schools are sorely in need of \$112 billion to repair or upgrade dangerous and substandard school facilities. In fact, 60 percent of the Nation's public schools have at least one major building feature in complete disrepair.

Before the 105th Congress adjourns, we must work to address these and other problems associated with critical funding needs for school modernization and class size reduction. The Democratic education proposal provides Federal tax credits to pay the interest on \$22 billion in bonds for the modernization or construction of more than 5,000 schools across the country. It also assists local school districts in hiring an additional 100,000 qualified teachers and reduce class size in grades one through three. At a time when the Nation's public schools are experiencing record school enrollment, and many teachers in the early grades have classes at large as 36 students, this effort is absolutely essential.

It is for these reasons that I urge my colleagues to join me in opposing the martial law resolution. It is time to stop playing games. We must get to work and enact legislation that will benefit all of our Nation's children and ensure that they have access to quality public school education.

Vote no on H. Res. 589

AGRICULTURE'S UNFINISHED  
BUSINESS

**HON. JERRY MORAN**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 14, 1998*

Mr. MORAN of Kansas. Mr. Speaker, I rise today on behalf of America's farmers and ranchers. Agricultural producers make up only two-percent of the U.S. population, yet they are productive and efficient enough to safely and inexpensively feed this country and much of the rest of the world. Our agricultural production system is the envy of the world, but we cannot take it for granted.

Mr. Speaker, farmers and ranchers work hard for us. Tonight I call on Congress and the President to return the favor.

Agriculture is different than other U.S. industries. It is a sector that is at the whims of both government policies and the global economy. Unfortunately, neither one of these influences are controlled by the Kansas farmer. The collapse of the Asian economy has beaten down prices like a hailstorm ripping across the Kansas plains. According to the U.S. Treasury Department, Kansas' agricultural exports to Asia

have fallen by 20%. Through no fault of their own, Kansas farmers will miss out on over \$2 billion in farm income due to lost markets and low prices. We need to take action, not just for today, but for the next generation.

In the short-term, the most important issues is the disaster relief bill for agriculture. This bill passed both the House and Senate, only to be vetoed by the President. The passage of this legislation could not be more timely or important. The price decline, combined with the weather and transportation problems, has left many farmers and ranchers in dire straits. Congress and the President need to put aside their differences to pass a meaningful relief bill.

In the long-term, removing sanctions and foreign subsidies must be a to priority for Congress. I am pleased that a bill to limit agriculture embargoes has passed the House. This bill should be approved by the Senate and sent to the President for him to sign into law. Congress should then focus on repealing sanctions that currently damage our producers and work to ensure that new sanctions are done only as a measure of last resort, and not a knee-jerk reaction to the problem of the day. If this is going to be a global agricultural economy, we in the U.S. have to give our farmers a chance to sell and market around the globe.

Subsidies must also be addressed. The Export Enhancement Program, one of our only programs available to promote agriculture exports, has been left unused since I arrived in exports, an increase of 300%. The U.S. is still being out spent by nearly \$7 billion by the European Union. To do nothing is the worst response possible. We cannot afford to stand by while our competitors take away markets by using aggressive government subsidies.

Mr. Speaker, we owe a lot to the American farmer. Working together on their behalf is the least we can do. It is time to act.

THE NORTHWEST SALMON  
RECOVERY ACT OF 1998

**HON. ELIZABETH FURSE**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 14, 1998*

Ms. FURSE. Mr. Speaker, as the entire country knows, the Pacific Northwest enjoys significant benefits from federal power through the Bonneville Power Administration. As I have advocated throughout my career, the Northwest also needs to be able to meet all of the public obligations associated with these benefits, including restoring fish and wildlife, meeting tribal treaty and trust obligations, and paying the U.S. Treasury.

I come to the floor today to introduce legislation that will give the Northwest region new tools to deal with anticipated changes in the utility industry, and new tools to promote salmon recovery and renewables conservation.

This bill, the Northwest Salmon Recovery Act of 1998, includes the following provisions to help the region get on track with its conservation responsibilities:

First, a Unified Plan for Fish and Wildlife. Under this bill, the Secretary of the Interior will be responsible for overseeing the development of a unified plan for salmon recovery in the Pacific Northwest. The plan will have as its