

## HUTCHISON AMENDMENT NO. 1739

(Ordered to lie on the table.)

Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill, S. 625, supra; as follows:

On page 91, strike lines 15 through 18 and insert the following:

"(B) if the bankruptcy case was filed in violation of a bankruptcy court order in a prior bankruptcy case prohibiting the debtor from being a debtor in another bankruptcy case in addition to the prior case."

## SESSIONS AMENDMENT NO. 1740

(Ordered to lie on the table.)

Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill, S. 625, supra; as follows:

On page 1, line 3, strike all through line 10 on page 2.

HUTCHISON AMENDMENTS NOS.  
1741-1743

(Ordered to lie on the table.)

Mrs. HUTCHISON submitted three amendments intended to be proposed by her to the bill, S. 625, supra; as follows:

## AMENDMENT No. 1741

At the end of the amendment add the following: "The preceding provisions relating to a limitation on State homestead exemptions shall not apply to debtors who are 65 years or older."

## AMENDMENT No. 1742

In lieu of the matter proposed to be inserted, insert the following:

**SEC. \_\_. STUDY OF EFFECTS OF THE HOMESTEAD EXEMPTION.**

The Comptroller General shall conduct a nationwide study and report to Congress any findings and recommendations not later than 1 year after the date of enactment of this Act regarding—

(1) the utilization of State homestead exemption in States where there is no limitation on the homestead exemption or in States where the limitation exceeds \$100,000 to determine the income level of the debtors utilizing the homestead exemption in those States; and

(2) the extent to which those individuals who have utilized the homestead exemption in those States are prohibited from doing so by the provisions in this Act—

(A) restricting utilization of the homestead exemption to those who have resided in the State for at least 2 years (section 303);

(B) providing for enhanced judicial scrutiny of any asset transfers to the homestead within 2 years of the date of filing bankruptcy (section 303); and

(C) the presumption against allowance of filing for chapter 7 (liquidation of assets) for certain high-income individuals (section 102).

## AMENDMENT No. 1743

At the end of the amendment add the following: "The preceding provisions relating to a limitation on State homestead exemptions shall not apply to debtors if applicable State law provides by statute that such provisions shall not apply to debtors and shall not take effect in any State before the end of the first regular session of the State legislature following the date of enactment of this Act."

## NOTICES OF HEARINGS

## COMMITTEE ON RULES AND ADMINISTRATION

Mr. McCONNELL. Mr. President, I wish to announce that the Committee

on Rules and Administration will meet on Wednesday, September 22, 1999 at 9:00 a.m. in Room SR-301 Russell Senate Office Building, to mark up S. Res. 172, a resolution to establish a special committee of the Senate to address the cultural crisis facing America.

For further information concerning this meeting, please contact Tamara Somerville at the Rules Committee on 4-6352.

## COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet during the session of the Senate on Wednesday, September 22, 1999 at 10:00 a.m. to conduct a hearing on S. 1587, a bill to amend the American Indian Trust Fund Management Reform Act of 1994 to establish within the Department of the Interior an Office of Special Trustee for Data Cleanup and Internal Control and; S. 1589, to amend the American Indian Trust Fund Management Reform Act of 1994.

The hearing will be held in room 485, Russell Senate Building.

## COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will meet on September 23, 1999 in SH-216 at 9:00 a.m. The purpose of this meeting will be to (1) To examine the impact of electronic trading on regulation and (2) to consider the nominations of Paul Riddick to be Assistant Secretary of Agriculture for Administration and Andrew Fish to be Assistant Secretary of Agriculture for Congressional Relations.

## COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet during the session of the Senate on Wednesday, September 29, 1999 at 9:30 a.m. to conduct a hearing on S. 1508, a bill to provide technical and legal assistance to tribal justice systems and members of Indian tribes.

The hearing will be held in room 485, Russell Senate Building.

Please direct any inquiries to Committee staff at 202/224-2251.

## AUTHORITY FOR COMMITTEES TO MEET

## COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on "Hybrid Pension Plans" during the session of the Senate on Tuesday, September 21, 1999, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SPECIAL COMMITTEE ON THE YEAR 2000 TECHNOLOGY PROBLEM

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Special

Committee on the Year 2000 Technology Problem be permitted to meet on September 21, 1999, at 9:30 a.m. for the purpose of conducting a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADDITIONAL STATEMENTS

## TRIBUTE TO GEORGE P. CROUNSE

● Mr. McCONNELL. Mr. President, I rise today to pay tribute to the life of George P. Crouse, who passed away on August 22, 1999. His death marked the end of a five-decade career of entrepreneurship, community building, and philanthropy in Paducah, Kentucky.

A native of Minneapolis, Minnesota, George worked for the Tennessee Valley Authority and then Arrow Transportation Company, an Alabama firm. George served his country in the U.S. Navy during World War II, and came to Paducah in 1945, to work for Iger Towing. George realized the potential of his new hometown as a crossroads of the nation's major river ways, and Crouse Corporation began operations in 1949, when its first towboat, *The Alice*, began operation on the Ohio River. This was the beginning of George's dream to have his own company.

Crouse Corporation continued to grow over the years, and expanded operations to other parts of the inland waterway system. From that single boat, the *Alice*, grew one of the nation's largest towing companies which presently operates 25 towboats and 750 barges. Even more amazing, the only time George borrowed money for his operation was the \$60,000 he borrowed to help construct that first boat. Aside from that initial loan, the Crouse Corporation balance sheets never showed debt. George continued to run the company as its chairman until only a few weeks prior to his death.

George led not only his own company to prosperity, but helped establish Paducah as a major center for river shipping, bringing economic growth and jobs to the area. His business acumen also was highly sought out in other areas such as banking. George was a firm believer in the principle of giving back to the community that had been so good to him, his family, and business. Entities such as the Paducah Public Library, Tilghman High School, and the new River Heritage Museum benefitted from George's generosity and guidance. We will probably never know the true extent of George's work to better the lives of all those in his community, and that's just the way George, a humble and modest man, would have wanted it.

George Crouse perhaps will best be remembered as a dogged advocate for education. In 1968, as a board member of Paducah Junior College, he helped bring the school into the statewide network of the University of Kentucky Community College System. George made sure that PJC retained ownership

of the property and buildings, making it the only community college in Kentucky controlled by the local community. When it appeared that the area was handicapped by the lack of an engineering school to serve college students in the area, George worked to establish an extension of the UK engineering school in Paducah. In fact, George and his wife, Eleanor, gave \$4 million to help build a suitable facility to house the program. Though George was reluctant, the building was named Crouse Hall to acknowledge his leadership and generosity in bringing the dream to reality.

George's passing leaves a great void is left in Western Kentucky. His was truly a life well lived. I offer condolences to his wife of many years, Eleanor, and the entire Crouse family. I ask that my colleagues join me in honoring the achievements and contributions of this outstanding Kentuckian, and that an article from the Paducah Sun be printed in the CONGRESSIONAL RECORD.

The article follows.

#### CROUSE'S LEGACY ONE OF GENEROSITY

(By Joe Walker)

People who knew barge company mogul George P. Crouse Sr. remember him for his ceaseless giving to the Paducah area and helping mold it into a hub of the nation's river industry.

"I was honored to be able to tell people that George Crouse was my friend," said Paducah Community College President Len O'Hara. "He was a wise, visionary and generous man. There's no doubt that he did more to shape the face of the college—both Paducah Community College and Paducah Junior College—than any other individual."

Mr. Crouse, 86, died at 8:24 p.m. Sunday at Western Baptist Hospital. Friends may call at Roth Funeral Chapel from 5 to 8 p.m. today.

Memorial services will be at 11 a.m. Wednesday at First Presbyterian Church, where he was a member. The Rev. Lynn Shurley will officiate. Burial will be private.

He was founder and past chairman of Crouse Corp., which he built from a single, leased boat to one of the nation's largest barge lines. He started the firm in 1948 after having worked with the Tennessee Valley Authority and seen how its dams improved navigation on the Tennessee River. He also knew Paducah was ideally situated near the confluence of two major rivers.

"I had learned earlier that the Tennessee (river) is a side street," he once wrote, "and the Ohio and Mississippi are the main highways."

About a month ago, in failing health, Mr. Crouse became chairman emeritus of the firm, making way for President Bill Dibert to take over as chairman. Mr. Crouse's son, Avery, a noted filmmaker, assumed the role of vice chairman.

My father was the first to show us to always plan for the inevitable," said Avery Crouse, who returned to Paducah to help run the business while continuing to make films. "We've often said that no one will fill his shoes, but several of us will try to do that."

The same is true for Paducah, which will miss Mr. Crouse immeasurably, said O'Hara. "People don't have any idea how much he's given to this community, not only with his mind, but also contributions of money."

In 1968, as a member of the Paducah Junior College Board of Trustees, Mr. Crouse fashioned the legal structure that brought the school into the University of Kentucky community college system while maintaining local ownership.

"He made sure PJC retained ownership of the property and buildings, so the community still owns the college," O'Hara said. "It's the only one in the nation that is locally owned."

Mr. Crouse, who told O'Hara repeatedly that higher education was Paducah's greatest need, and his wife, Eleanor, gave \$4 million toward the PCC engineering school. But O'Hara said Mr. Crouse was reluctant to publicize the gift or have the school named after him and his wife.

"I told my staff this morning that I'm so happy to have been able to get it finished and for it to become a community icon before his passing," O'Hara said.

Because of Mr. Crouse's modesty, Paducahans will never know the real extent of his beneficence, O'Hara said.

"The (public) library owes a great deal to George Crouse. Paducah Tilghman High School does, too, and a lot of other less visible charities," he said. "He was very quiet about it and didn't want his name passed around, but he was always there."

In the 1960s, Mr. Crouse used his business savvy to boost the growth of Peoples First Corp., which became a large, regional banking firm before merging with Union Planters last year. Aubrey Lippert, head of Union Planters' Paducah operation, was executive vice president when Mr. Crouse was a Peoples board member.

"He was probably one of the best thinkers I've seen in being able to put together business plans and concepts and then methodically talk through how you would execute them," Lippert said. "He was always very quiet, but as we used to say around our board table, when Mr. Crouse speaks, you need to listen because he always has his thoughts in order."

Lippert said Mr. Crouse's generosity began when he came to Paducah in 1948 and continued throughout his life.

"He was a fine family man, had a great family and I have great admiration for Eleanor," Lippert said. "He was the kind of citizen that you would love to have as many of as you could possibly have in the community. We'll sure miss George Crouse."

A native of Minneapolis, Mr. Crouse worked for TVA and later Arrow Transportation, a river towing company in Sheffield, Ala. After serving in the U.S. Navy in World War II, he joined Iget Towing in late 1945 and moved to Paducah. All along, he had a desire to form his own company.

That happened three years later when Mr. Crouse put down \$40,000 in cash and borrowed \$60,000, which he said gave him \$88,000 to build his first towboat and \$12,000 for working capital. He rented a towboat to get started.

In 1949, Mr. Crouse finished construction. The Alice, named after his aunt, and immediately starting towing chemical barges on the Ohio River. Steady growth of the company led to purchasing barges in 1951 and finishing a second towboat. The Louise, in 1952. By then, coal was the main cargo.

John Cathey remembers working on the Alice and becoming pilot of The Louise, named after Mr. Crouse's mother. As the firm added towboats, Mr. Crouse ran out of family names and began naming vessels after the wives of employees like Cathey's wife, Hazel.

"That was a real honor at that time," Cathey said. "He was a really smart man, and he had a good relationship with all the employees. There were times when people

came in off the boats and were troubled, and he'd talk to them."

Cathey saw the firm grow gradually, expanding to the Green River in 1956 and buying Clifton Towing Co. in 1959. Renamed Southern Barge Line Corp., the Clifton operation remained a subsidiary until 1980.

In June 1965, Crouse Corp., moved from a converted residence into its current headquarters at 2626 Broadway. In 1969, Mr. Crouse completed another major expansion by opening a branch in Maysville in eastern Kentucky to serve the upper Ohio River.

Cathey remained with Crouse Corp. for nearly 30 years, retiring as senior vice president. Aside from his initial loan to build The Alice, Mr. Crouse ran the firm in the black, Cathey said.

"One of the things I always admired him for was, we never went into debt," he said. "We paid as we went."

Mr. Crouse is survived by his wife Eleanor Buchanan Crouse; his son, Avery Crouse of Paducah; his sister, Barbara Kleet of Naples, Fla.; nine grandchildren; and eight great-grandchildren.

He was preceded in death by a son, George P. Crouse Jr.; and his daughter, Virginia Cramp. His parents were Avery Fitch Crouse and Louise Ray Crouse.

Expressions of sympathy may take the form of contributions to the Paducah Cooperative Ministry, 1359 S. 6th St., Paducah, KY 42001; Paducah Junior College Board, P.O. Box 7380, Paducah, KY 42002; or First Presbyterian Church, 200 N. 7th St., Paducah, KY 42001.●

#### TRIBUTE TO JUDGE SAMUEL J. ERVIN III

● Mr. EDWARDS. Mr. President, I rise to honor the life of a remarkable North Carolinian. Judge Sam Ervin III died last Saturday, September 18, 1999 at the age of 73. His passing has left a void—his family and friends have lost a wonderful, caring man, North Carolina has lost one of its finest citizens, and our nation has lost an honorable and respected jurist.

Judge Ervin devoted his life to public service. Born March 2, 1926 in Morganton, North Carolina to the late Senator Sam Ervin, Jr. and Margaret Bruce Ervin, Judge Ervin studied at Davidson College. He interrupted his undergraduate education for two years to serve in the U.S. Army during World War II. After attending Harvard Law School, he returned to the Army, attaining the rank of colonel while serving in the Judge Advocate General's Corps. In 1952, Judge Ervin returned to practice law in Morganton, where he would remain for the better part of the rest of his life. Judge Ervin served in the North Carolina General Assembly between 1965 and 1967, when Governor Dan Moore appointed Judge Ervin to the North Carolina Superior Court bench.

Judge Ervin was considered among the ablest Superior Court Judges of his time. Lawyers trusted that Judge Ervin would afford all litigants a full and impartial hearing and would ground his decision in the law. He was often selected by the Chief Justice of the North Carolina Supreme Court to preside over controversial trials from which local judges recused themselves.