

**SEC. 2. UNSOLICITED LOAN CHECKS PROHIBITED.**

(a) IN GENERAL.—Chapter 2 of the Consumer Credit Protection Act (15 U.S.C. 1631 et seq.) is amended by adding at the end the following new section:

**"SEC. 140. SOLICITATIONS FOR CONSUMER LOANS.**

"(a) 'LIVE' LOAN CHECKS PROHIBITED.—No consumer credit which is otherwise subject to this title may be extended by any creditor through the use of a check or other negotiable instrument which has been sent by the creditor to the consumer in connection with a solicitation by the creditor for such extension of credit, unless the consumer has submitted an application for, or otherwise requested, such extension of credit before receiving the check or instrument.

"(b) CONSUMER NOT LIABLE.—If any creditor includes a check or other negotiable instrument in a solicitation to a consumer for an extension of credit sent by a creditor to a consumer in violation of subsection (a)—

"(1) the consumer shall not be liable for the amount of any such check or other negotiable instrument; and

"(2) no information on any liability of the consumer alleged by the creditor to have been established through such check or other negotiable instrument may be reported to or received by any credit agency (as defined in section 603 of the Fair Credit Reporting Act) or included in any consumer credit report under such Act.

"(c) REGULATIONS.—

"(1) REGULATIONS REQUIRED.—

"(A) IN GENERAL.—Before the end of the 6-month period beginning on the date of the enactment of the Unsolicited Loan Check Consumer Protection Act of 1999, the Board shall prescribe final regulations to implement the requirements of this section.

"(B) MODIFICATIONS.—The Board shall modify and clarify any regulation prescribed under subparagraph (A) whenever the Board determines such action to be necessary to prevent any circumvention of the requirements of this section or to facilitate compliance with such requirements.

"(2) LIMITATIONS ON 'LOOK-ALIKE' CHECKS.—

"(A) REGULATIONS AUTHORIZED.—The Board may, if the Board finds that such action is necessary to prevent confusion by consumers, prescribe regulations setting forth guidelines for the use, in a solicitation for an extension of credit, of certificates, vouchers, or other non-negotiable instruments that are intended to have the appearance of a check or other negotiable instrument, but which do not violate subsection (a) of this section.

"(B) DISCLOSURES AND OTHER REQUIREMENTS.—Any regulation prescribed under subparagraph (A) shall include such disclosures and modifications relating to the appearance and use of certificates, vouchers, or other non-negotiable instruments in a solicitation for an extension of credit as the Board determines necessary or appropriate."

(b) CLERICAL AMENDMENT.—The table of sections for chapter 2 of the Consumer Credit Protection Act is amended by adding at the end the following new item:

"140. Solicitations for consumer loans."

(c) SCOPE OF APPLICATION.—The requirements of this Act and the amendments made by this Act shall apply to solicitations for extensions of credit made to consumers after the date of enactment of this Act.

**EXTENSIONS OF REMARKS**

IN HONOR OF RICHARD W. POGUE

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor Richard W. Pogue for his outstanding dedication and contribution to public service in Greater Cleveland. Today, Richard joins a select group of individuals by being saluted with the "In Tribute to the Public Service" Award.

Mr. Pogue is a native of Cambridge, Massachusetts and received a BA from Cornell University and a JD from the University of Michigan. Over the years, Pogue has used his expertise and time in a variety of ways. He has been actively involved in the business, education, social services, nonprofit and cultural sectors of our Cleveland community.

Pogue has served in a wide array of organizations, including The Cleveland Foundation, University Hospitals Health System, the Greater Roundtable, Cleveland Institute of Music, Cleveland Bicentennial Commission (Co-chair), and the 1989 Untied Way Cleveland Campaign, which raised about \$52,000,000. In addition, he is the principal organizer of an innovative organization: the Northeast Ohio Regional Business Coalition. As if this was not enough, he currently serves as a Director of Continental Airlines, Inc. (Houston), Derlan Industries Limited (Toronto), M.A. Hanna Company, IT Group, Inc. (Pittsburgh), KeyCorp, LAI Worldwide Inc. (New York City), Rotek incorporated (Aurora) and TRW Inc.

Mr. Pogue's commitment and dedication has not gone unnoticed. Pogue is also recipient of the "Humanitarian Award" from the National Conference of Christians and Jews, the "Excellence in Philanthropy Award" from the Ohio Council of Fund Raising Executives, "Economic Development Leadership Award" from the Council for Urban Economic Development, and "Man of the Year" by Plymouth Church of Shaker Heights, just to name a few.

My fellow colleagues, join me in saluting Richard W. Pogue for his continual commitment to our community. He is a renowned citizen of Cleveland and I am pleased to recognize his accomplishments.

IN TRIBUTE TO BILLY K. HIGGINS

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 1999

Mr. WOLF. Mr. Speaker, I want to pay tribute today to a gentleman I met in my early days in Washington in the 1970's at the Department of the Interior, and whose path I again crossed when I came to Congress.

Billy K. Higgins has worked for more than 25 years to advance our nation's transportation system, first as a congressional liaison officer for the Federal Highway Administration, and since 1977 as the governmental relations director of the American Association of State Highway and Transportation Officials (AASHTO). He has also worked for the Republican National Committee, and the Stand-

ard Oil Company of Indiana, now Amoco Oil Company.

But for the past 22 years he has represented the state departments of transportation through a period of tremendous change, as the construction of the Interstate system was completed, as the focus of federal transportation interests broadened, and as the world became increasingly dependent on the economic lifeline transportation provides.

He has guided AASHTO through five reauthorizations of the federal-aid highway and transit program, through 22 years of transportation appropriations bills, through the designation of the National Highway System and a host of other transportation legislation. He has always worked closely and fairly with the state departments of transportation, the construction and contracting industries, the National Governors' Association and numerous other organizations representing state and local government interests.

And in all those years, from the first time I ever met Billy, he has been a true model of integrity, honesty, courtesy and compassion. Billy has decided to retire from his full-time duties at AASHTO, but fortunately for those of us in Congress who've had the pleasure to work with him on so many transportation matters, he intends to continue to keep his hand in the legislative process on a part-time basis as a consultant with AASHTO on governmental affairs.

I was honored to be asked to speak at a reception for Billy on Capitol Hill this past Tuesday evening, June 22. One of the most impressive things about that event was that Billy's family was there, too. Billy's greatest joy is his family. He and his wife Nancy have been married for 45 years and have raised a wonderful family including three sons and a daughter, all of whom are married, with their own children, a total of 10 grandchildren for Billy and Nancy. His oldest or "number one" son, as Billy calls him, is Craig Higgins, with his wife Wendy and their two children Kristen and Keith. Next in order is his son Duane Higgins, his wife Cynthia and their four children, Lauren, Michael, Danielle and Samantha. Then there is daughter Marcy, with her husband Bill Davis and their two children, Carter and Paige. His youngest son is Ron Higgins, with his wife Amy and their two children Rebecca and Tim.

I would like to share my prepared remarks at the reception for Billy Higgins and urge all our colleagues who have had the chance to work with Billy to take the opportunity to wish him well.

IN TRIBUTE TO BILLY HIGGINS

Many of you may not know that Billy and I go way back in Washington, all the way back to the 1970's—when our hair was much darker! We worked together at the Department of the Interior. Billy was at the Bureau of Mines and I was with Secretary Rogers C.B. Morton's office.

It was easy to strike up a friendship with Billy because he was such a genuinely nice guy. In describing him, words immediately come to mind such as fair, honest, trustworthy, principled, hard-working, highest moral standards, a man of character.

The first time we met, too, I saw in Billy a quality that hasn't wavered one millimeter over