

that we are entitled to basic rights and liberties, and we cherish these rights and protections afforded under our Constitution. When these rights are violated, we are quick to demand action and correction.

This is a time when we must demand action and correction. The current civil asset forfeiture laws abuse individual rights by denying basic due process.

Under current law, there are two kinds of forfeiture—criminal asset forfeiture and civil asset forfeiture. Under criminal asset forfeiture, if you are indicted and convicted of a crime, the government may seize your property if your property was used, however indirectly, in facilitating the crime for which you have been convicted.

I have no problem with that law. Not only is it a good deterrent against a number of crimes, but it does not deny anyone their Constitutional rights.

However, under civil asset forfeiture, the government can seize your property, regardless of the guilt or innocence of the property owner. The government can seize property merely by showing there is probable cause to believe that these assets have been part of some illegal activity. This means that even if there is no related criminal charge or conviction against the individual, the government may confiscate his or her property.

And property can be anything—your car, your home, your business. The government can take anything and everything premised on the weakest of criminal charges—probable cause.

Moreover, the current law gives little consideration to whether the forfeiture of the property results in a mere inconvenience to the owner, or jeopardizes the owner's business or livelihood.

To reclaim this property, no matter the inconvenience, the property owner must jump through a number of hoops.

First of which, the owner must pay a 10 percent cost bond or \$5,000, whichever is less. For low-income people or for people who have been made poor by this civil asset seizure, coming up with the money for this bond may be extremely difficult or impossible. This bond serves to discourage people from contesting the seizure.

If a property owner can come up with this money, he still has the burden of proof.

The government should have this burden. We are still "innocent until proven guilty." And under criminal law, that is the way it is. If someone is charged with a crime, the government has the burden to prove that the person is guilty.

However, under civil asset forfeiture, it is the exact opposite. The owner must prove, by a preponderance of the evidence, that either the property was not connected to any wrongdoing or the owner did not know and did not consent to the property's illegal use.

And to top it off, if the owner succeeds in reclaiming his property, the government owes him nothing for his trouble—not even an apology.

H.R. 1658 calls for reforms that protect the rights of innocent citizens while still allowing the government to pursue criminals and their property. First, H.R. 1658 puts the burden of proof, by clear and convincing evidence, onto

the government, where it should be. Second, it gives the judge the flexibility to release the property, pending the final disposition, if the confiscation of the property imposes a substantial hardship on the owner.

Under H.R. 1658, Judges also would be able to appoint counsel in civil forfeiture proceedings for our poorest citizens to ensure that they are protected from the government's exercise of power. Furthermore, property owners would no longer have to file a bond, and could sue if their property is damaged while in the government's possession.

In our haste to punish drug traffickers, Congress failed to adequately protect the rights of our citizens.

H.R. 1658 restores these protections and returns law enforcement in drug crimes to the basic tenets of criminal jurisprudence.

LEGISLATION TO OPEN PARTICIPATION IN PRESIDENTIAL DEBATES

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 1, 1999

Mr. TRAFICANT. Mr. Speaker, today I am introducing legislation to open participation in presidential debates to all qualified candidates. I urge my colleagues to support this legislation.

My bill amends the Federal Election Campaign Act of 1971 to organizations staging a presidential debate to invite all candidates that meet the following criteria: the candidate must meet all Constitutional requirements for being President (e.g., at least 35 years of age, born in the United States), the candidate must have qualified for the ballot in enough states such that the candidate has a mathematical chance of receiving the minimum number of electoral votes necessary for election, and the candidate must qualify to be eligible for matching payments from the Presidential Election Campaign Fund.

This legislation will ensure that in a presidential election campaign the American people get an opportunity to see and hear from all of the qualified candidates for presidential. Staging organizations should not be given the subjective authority to bar a qualified candidate from participation in a presidential debate simply because a subjective judgement has been made the candidate does not have a reasonable chance of winning the election.

The American people should be given the opportunity to decide for themselves whether or not a candidate has a chance to be elected president. So much is at stake in a presidential election. A presidential election isn't just a contest between individual candidates. It is a contest between different ideas, policies and ideologies. At a time when our country is facing many complex problems, the American people should have the opportunity to be exposed to as many ideas, policies and proposals as possible in a presidential election campaign. My bill will ensure that this happens. It will give the American people an opportunity to hear new and different ideas and proposals on how to address the problems

facing our nation. I have confidence that the American people are wise enough to make a sound decision.

Some of the basic principles America was founded on was freedom of speech and freedom of ideas. I was deeply disappointed that in the 1996 presidential campaign, the ideas of qualified candidates for president were not allowed to be heard by the American people during the presidential debates. It is my hope that Congress will pass my legislation and ensure that the un-American practice of silencing qualified for candidates for president is permanently put to a stop. Once again, I urge my colleagues to support this legislation.

TRIBUTE TO THEODORE "TED" JAMES

HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 1, 1999

Mr. MCINNIS. Mr. Speaker, it is with a great deal of sadness that I take a moment to recognize the remarkable life and significant achievements of one of Larimer County's leading businessmen, Theodore "Ted" James. An entrepreneur and developer of Grand Lake Lodge and Hidden Valley Ski Area, Mr. James died at his home on June 8 in Estes Park, CO. While family, friends and colleagues remember the truly exceptional life of Mr. James, I too would like to pay tribute to this remarkable man.

Mr. James was a resident of Estes Park for 46 years; moving to Larimer County in 1953 to run sightseeing buses, two lodges, and a store in Rocky Mountain National Park. During his time in Estes Park, Ted was the president and manager of the Hidden Valley Ski Area, Trail Ridge Store, Grand Lake Lodge, and the Estes Park Inn.

A graduate from Greeley High School, Ted attended the University of Nebraska at Lincoln. During his college career, Mr. James received numerous football awards and was selected by Knute Rockne for the All-West football team. Upon graduating college, with a bachelor's degree in business, Ted played football for the Frankford, PA., Yellowjackets, now known as the Philadelphia Eagles of the National Football League. Many years later, Mr. James was inducted to the Nebraska Hall of Fame at Memorial Stadium.

In 1947, Mr. James was instrumental in merging the Burlington Bus Co. and American Bus Lines to create American Bus Lines in Chicago. With previous experience as the manager of the Greeley Transportation Co., Ted was immediately offered a job as the president and general manager of American Bus Lines Chicago branch.

In 1953, Mr. James was given the opportunity to develop Hidden Valley Ski Area by the Larimer County Park Service. He was a park concessionaire for Hidden Valley, Grand Lake Lodge, and the Trail Ridge Store, as well as operating the Estes Park Chalet.

Mr. James was a member of the Sigma Phi Epsilon fraternity, Scottish Rite and Estes Park Knights of the Belt Buckle. He was commissioner of the Boy Scouts of America in Denver, president of Ski Country USA, and member and director of Denver Country Club.

Although his professional accomplishments will long be remembered and admired, most who knew him well will remember Ted James as a hard working, dedicated, and compassionate man. I would like to extend my deepest sympathy to the family and friends of Mr. James for their profound loss.

ISSUES FACING OUR YOUNG
PEOPLE TODAY

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 1, 1999

Mr. SANDERS. Mr. Speaker, I would like to submit for the RECORD these statements by high school students from my home State of Vermont, who were speaking at my recent town meeting on issues facing young people today.

CHILD CARE IN VERMONT

(On behalf of Jody Foster, David Verge,
Alicia Norris and Bobby Collone)

David Verge: Our issue is about child care in Vermont, and with the young people because a lot of the younger people are having kids now. According to child care funds in Vermont, a family could not afford care in 75 percent of the homes or any center. Vermont child care subsidy is at too low of a rate, only \$83.70 for field time centers, and \$67.45 for full-time care and home care. People of low income levels cannot afford even \$50 to make up the difference that the state does not pay.

If they want to come and encourage people to work or go to school, then they need to make it worthwhile. If you are working and your whole paycheck is going to the cost of day care, then what is the point of working? Youth Build needs a day care, because 11 people out of, I'd say, about 33, 30 people have kids already, and we would like if we could try to open child care round Vermont so people can get their educations, and for the people that drop out of high school, because they don't have the money to pay for child care. We would like to see more people graduate than drop out, because we have the lowest dropout rate, from what I understand, and we are just trying to fix it, because a lot of us want to become something so our kids will not look down on us and can think something of us. You know, a lot of us are just not willing to work with it, because we have no money to pay for all the child care, plus other things that we need for essential needs for babies, us, and it is really hard.

Congressman Sanders: You are doing great, Dave.

Alicia Norris: I think a lot of it is, we are all students and we all either have children or are having children. Two of us have kids already, and our whole paycheck from Youth Build goes straight to day care. I mean, we have no money for expenses, for diapers or anything else like that. And it is hard to find good day care when it is \$150 a week, and that is really expensive. That makes it really hard, because we want to go to school. And I think a lot of it is, students don't get the help they need so they can go back to school, because they are trying to better their lives and make their lives better for them and their children.

Jody Foster: Some of our changes would include maybe a special subsidy for parents that are going back to school or working,

and base it better on income levels, on a higher income level for state help for child care.

Alicia Norris: And just employers helping out their employees, to give them day care, or to either provide day care, like the hospital does, or to help with the funds for it.

Congressman Sanders: Well, you guys have touched on an enormously important subject, and you have done a great job making that presentation.

DEMOCRACY AND CHILD LABOR

(On behalf of Matt Sheldon and Emily Webster)

Matt Sheldon: My presentation is on democracy in the United States.

The U.S. system of government is not as fair as it could be. There is an elite ruling class who have too much control in the way things are run. People in the lower classes have no power. They remain in the lower class because of a concentration of power and wealth within a small area of the population.

The type of political system that the U.S. has is a representative democracy. The people elect officials to "represent" them in decision-making. These elected officials are very often corrupt and become politicians only because they have a hunger for authority.

The election process doesn't allow everyone to be represented. It costs a great deal of money for a politician to campaign. Therefore, most people in government come from the upper classes. Many of them raise funds illegally. An honest person with good ideas for change may not be able to get their voice heard because of a lack of campaign funds.

The mass media also makes it difficult for many people, because it suppresses anything that seems too radical. When a news organization decides whose campaign to cover, they may essentially be helping to decide the electee. The public only has access to certain orthodox views, so naturally, they vote for those certain people.

Many people on the left figure that a liberal leader is better than a conservative, so they vote for the liberal. But the liberals are often just as bad. They're hypocritical in many ways. Their opinions and actions are determined by the status quo. Our current president, Bill Clinton, is becoming more conservative, in that he wants to increase military spending. People like him do not really want to make the country a good place, they just crave power and fame.

Liberals are often too afraid of offending people. They are slightly critical of capitalism and make some attempts to make it better by tax reform or supporting higher wages and improved working conditions in general, but the fact remains, capitalism is a system that rests on the exploitation of humans by other humans. And the same can be said about government: As long as there is an elitist state, there will be division of classes and limited opportunity. Nonhierarchical collectivism is the only way for true liberty.

Emily Webster: I will be presenting on child labor.

Child labor is alive and well today, despite efforts by the government and the people to control and regulate it. The efforts made show that the issue of exploitative child labor has been recognized in the United States and steps have been taken to eliminate it, for progress is not being made fast enough and it is not effective enough.

Exploitative child labor has been in existence for far too long. Even though it occurs

less often in this country, it is mainly the United States-based companies that commit this abusive act. Nike is a multibillion dollar U.S.-based company. If this is so, why aren't the majority of Nike factories in this country? In order for Nike to bring in the profit that it does, the goods need to be manufactured at a very low cost. By setting up companies in other countries, mainly Third World countries, the company brings in more profits than it would if manufacturing was done in the United States.

Disney is another huge U.S.-based company. The products made by Disney are aimed for young children, and in most cases are made by young children overseas. These countries don't enforce labor laws or don't have a minimum wage, so workers don't have enough money to live even on a poverty level. In addition, the workers are abused in the factories. Oftentimes, the abuse is even sexual. If the workers try to help themselves and report their abuse, they can be fired and even blacklisted.

The U.S. is aware that Nike and Disney commit illegal acts outside this country, so why don't we act upon it? These children are not only abused, but they are denied schooling, something American children take for granted.

The most brutal of child labor is called bonded child labor. In a lot of places, the need for money is so great, the parents literally sell their children, or their children are kidnapped by companies who put them to work. They receive extremely low wages.

Though child labor is still going on, there has been a lot of progress in reducing these terrible conditions. Global Fashions, a clothing company, took its first step in improving conditions when it was discovered that exploitative child labor was being used. Global Fashions then agreed to voluntary codes of conduct to improve working conditions.

Another example of success is the Bonded Child Labor Elimination Act, sponsored by Bernie Sanders. It amends the Tariff Act, which says the products made by prisoners or adult bonded labor cannot be imported into the United States, by including products made by forced or indentured child labor.

Exploitative child labor is not only an issue about wages. It goes deeper, to the point where it turns into a life-threatening situation for many children around the world. Many people are in such desperate need for whatever money they can get that any conditions are tolerable, as long as they are getting paid. That needs to change. People everywhere deserve to be rewarded for the work they do. Children should be able to go to school and have the opportunities that most American children have. Major corporations must stop treating people as machines, but as people who have needs. Until this country can put the welfare of people all over the world before money, exploitation of children in other countries will prevail.

A TRIBUTE TO FRATERNITAS

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 1, 1999

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor a Fraternitas, an organization that exemplifies the proud American tradition of helping those who most need help.

In February, 1986, a group of friends in the small Abruzzi village of Castelfrentano, Italy