

He was appointed to the Missouri Supreme Court by Governor Warren E. Hearnes in 1965, and served as chief justice from 1973 to 1975, and from 1981 to 1983. He was the first chief justice to address the General Assembly of Missouri on the State of the Judiciary in January 1974.

Judge Donnelly was active in the community. He was a member and elder at First Presbyterian Church, a member of Lebanon Masonic Lodge, A.F. & A.M. and a 50-year member of the Missouri Bar. He served on the Lebanon Board of Education from 1959 to 1965; on the board of the School of Religion, Drury College, Springfield, from 1958 to 1963; and on the board of the Missouri School of Religion, Columbia, from 1971 to 1972.

He was deputy chairman of the National Conference of Chief Justices in 1975. In 1998 he published "A Whistle in the Night," his autobiography and memoir.

Judge Robert T. Donnelly will be missed by all who had the privilege to know him. I know the Members of the House will join me in extending heartfelt condolences to his family: his wife, Susie; his two sons, Thomas and Brian; his sister, Helen; and his three grandchildren.

YOUTH VIOLENCE AND THE MEDIA

HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 12, 1999

Mr. STUMP. Mr. Speaker, last week, a very insightful article appeared on the Op-Ed page of *The Washington Post*. This article was written by William B. Ruger, Sr., chairman of the board of Sturm, Ruger & Company, which is located in Prescott, Arizona. Mr. Ruger is considered one of the most respected and responsible voices in the firearms industry. His motto, and the company's motto, has always been "Arms Makers for Responsible Citizens."

The article dealt with violence as part of the ongoing debate since the tragedy of Littleton, Colorado. Bill Ruger's well thought out article would be required reading for anyone concerned about the role of the media as it relates to youth violence. I submit the article to be printed in the RECORD.

[From the *Washington Post*]

OUR DAILY DOSE OF DEATH

(By William B. Ruger Sr.)

When was the last time the media portrayed the responsible use of recreational firearms? You wouldn't know it from reading the newspaper or watching television, but according to the National Safety Council, the firearms accident rate has declined 20 percent during the past decade, plummeting to a 90-year low. In 1998, only one percent of accidental deaths were attributable to firearms accidents.

There is a subconscious anti-gun bias on the part of major media. Certainly, our society has changed since I founded Sturm, Ruger & Co., but I can assure you that my reaction to a "gang-banger" on the news is precisely the same as that of every law-abiding American—profound outrage.

The antisocial elements of our society seem to hold the rest of us hostage. The media constantly portray carnage and gore, often in agonizingly slow motion, for no dis-

cernible reason. The same goes for incredibly violent video games that some young people play for hours on end. Such portrayals have their staunch defenders, but as a firearms manufacturer, I would implore them to stop using violence to make a killing. Let's not pretend it's anything else. The incessant desensitizing of our young people to mindless violence is beyond measure and beyond comprehension.

Graphic, vicious and sadistic films, television shows, video games and music lyrics that trumpet wanton killing—often directed against the police—are outrageous. Drug and alcohol abuse, the breakdown of the family, inadequate child supervision and the lack of "a decent respect for the opinions of others" (to paraphrase Jefferson) are far more pernicious and harder to address than simply passing another "gun law." But we won't accomplish much until we stop deluding ourselves into thinking that society's violence is because of firearms and that the media bear no responsibility for this witches' brew.

More law enforcement agents were mowed down by machine guns in "Die Hard II" than have been killed on duty in the history of the nation. The impression left is that "something must be done" to get machine guns off the streets. But they have been essentially illegal since 1936. We have so-called "assault weapon" bans, which do nothing but ban guns that look like machine guns but operate just like the shotgun President Clinton takes duck hunting—one shot at a time.

When anyone protests gratuitous violence or counsels restraint in portraying violence, the media take umbrage behind their right to do so. In 1955, we placed a full-page ad, "A Symbol of Responsibility," stating "with the right and enjoyment of owning a firearm goes that constant responsibility of handling it safely and using it wisely." Would not a little self-restraint similarly apply to the right to produce a movie, print a newspaper or record a song?

We recently protested to a major newspaper about its irresponsible behavior in bringing a child to a gun show display and then deliberately taking a photograph of him brandishing a pistol in an unsafe manner. The newspaper defended the photographer. We do not sell our products to minors and deplore their unsupervised use, yet we were cast as villains "promoting violence" by this same newspaper. Similarly, television networks that show ultra-violent films with guns portrayed in the most antisocial ways piously denounce firearms on their evening editorials. Some won't even run firearms safety spots because "they show a gun."

Isn't it ironic that those who scorn the Second Amendment are cavalier in treating the First Amendment as their right but not a responsibility? Let anyone ask for any restraint of those who would abuse their First Amendment rights to incite antisocial behavior, and the purveyors hide behind that amendment, loudly decrying "censorship." While there are legitimate adult uses for firearms, nothing justifies this excessively violent "free speech" aimed at our youth in the guise of "entertainment."

Our corporate motto is "Arms Makers for Responsible Citizens." We have strongly supported more than 20,000 gun control laws and "point-of-sale" background checks for new gun purchasers. We voluntarily ship our pistols in lockable boxes as a precautionary measure. I only wish that others would also become symbols of responsibility before they desensitize another generation of youth to the horror of violence. We are all sick of it.

FINANCIAL SERVICES ACT OF 1999

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 1, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 10) to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial services providers, and for other purposes:

Ms. JACKSON-LEE of Texas. Madam Chairman, today I rise to voice my opposition to the structured rule to House Resolution 10, the Financial Services Competition Act of 1999. This rule stifles debate on critical issues from the modernization of the financial services industry. Forty Amendments offered by the Democrats, including my own, which addressed issues of redlining, stronger financial and medical record privacy safeguards and community lending were not made in order by the Rules Committee.

I support the idea of updating the rules that our nation's financial service institutions operate under to bring their activity in line with the realities of life in today's America. With that said, I believe that in our rush to modernize financial services, we are overlooking critical issues that the Democrats sought to address through the amendment process.

The Republicans failed to make in order Representative BARBARA LEE's anti-redlining amendment. Currently, CRA applies to only banks and thrifts. Representative LEE's proposed amendment would have required insurance companies and their affiliates to remain in compliance with the Fair Housing Act. Interestingly enough, this provision was included in the Banking Committee version of H.R. 10.

H.R. 10 allows virtually unlimited access by organizations such as insurance companies, employment agencies and credit bureaus of a patient's medical records. Under these provisions, patient information could be disclosed or even sold to the highest bidder for reasons that have nothing to do with the health of the patient. This will threaten the confidential relationship between a doctor and the patient—an essential component of high quality health care.

Similarly, the rule prohibited a discussion on creating parity between large and community banks with respect to sharing protected information. Large banks rely on sharing customer information with affiliates and subsidiaries, while smaller banks rely on the transfer of information between third parties.

The amendment offered by Representative MARKEY would have preserved the meaningful consumer financial privacy protections adopted on a bipartisan basis in the Commerce Committee. H.R. 10 will greatly accelerate mergers, creating huge money centers with access to once-confidential information about millions of customers.

The Commerce Committee, in a bipartisan manner, adopted a compromise approach to financial privacy by giving consumers an across-the-board "opt-out"—the ability to stop

information from being disclosed to third parties and affiliates. H.R. 10 only permits consumers to opt-out of third party information sharing. Financial institutions are still free to share consumer information with their affiliates and subsidiaries.

Madam Chairman, the structured rule prohibits discussion of the lack of sufficient protections for the privacy of an individual's medical records. This bill allows virtually unlimited access by organizations such as insurance companies, employment agencies and credit bureaus of a patient's medical records without the patient's consent or knowledge. Under these provisions, patient information could be disclosed or even sold to the highest bidder for reasons that have nothing to do with the health of the patient. This will threaten the confidential relationship between a doctor and patient—an essential component of high quality health care.

Under the bill, Madam Chairman, health insurers could compel individuals to allow their medical records to be sold or disclosed to employers, direct marketing firms and others. While the bill technically requires individuals to consent to such disclosures, the consent process can and will be coercive. Insurers could refuse to provide health insurance to individuals who fail to provide blanket authorization for disclosure. Faced with such a choice, individuals will have no option but to sign away their privacy rights.

The amendment offered by Representative CONDIT and others would have stripped Section 351 from the bill in order to prevent this erosion of medical privacy. Section 351 of H.R. 10 purports to protect the privacy of medical records. In fact, it would do just the opposite by allowing a major invasion of consumer privacy.

Among other things, Section 351 would allow health insurers to sell health records, would preempt state privacy laws and would allow insurers to effectively coerce disclosure "consent" from consumers. This would have prevented by the adoption of the Condit Amendment.

I also oppose the rule, because it failed to contain my amendment which would have directed the Comptroller General of the United States to conduct a study of the extent to which the lack of availability of a full-range of financial services in low- and moderate-income neighborhoods has resulted in an undue reliance in such neighborhoods on check cashing services which impose a fee equal to 1 percent or more of the amount of a transaction.

This report would have also assessed to what extent check cashing services are regulated and audited by Federal, State, or local governments to prevent unscrupulous practices and fraud. This amendment would have also reviewed to what extent owners and employees of check cashing services are licensed or regulatory screened to prevent the infiltration of elements of organized crime.

According to the National Association of Check Cashers, the industry cashes about 200 million checks a year, totaling \$60 billion, and earned more than \$1 billion last year. The number of check cashing outlets in the United States has nearly tripled about 6,000 compared to about 2,150 in the mid-1980s.

Banks are hard to find in the inner city, and I am sure that this fact has contributed to the presence of check cashers in the inner city. In the City of Houston 23 establishments are listed as offering check cashing services to poor or moderate income Houstonians.

It is estimated that 12% of the population in this country does not have a checking account. Resulting in one in every 13 U.S. households not having a bank account. This percentage is growing with the escalation of banking fees and the closing of full service bank branches.

In the state of Texas a low-income family may spend more than \$200 a year in checks cashing fees.

Currently, no national law guarantees access to banking services for all Americans. Illinois, Massachusetts, New Jersey, New York and Minnesota require banks operating with their boarders to offer basic checking accounts with minimal fees for consumers making a limited number of transactions.

Some check cashing services offer short term credit called a payday loan to customers who are in need of cash. A customer writes a check for one amount and receives a lower amount in return. The check casher in turn agrees to hold off cashing the check until payday. A customer can choose to "roll" the check over by paying another fee to extend the loan, a process that can become extremely costly over time.

A class-action lawsuit in Tennessee describes a borrower who renewed cash advance loans 20 to 29 times. One plaintiff "rolled over" loans 24 time in 15 months, borrowing a total of \$400 and paying \$1,364 while still owing \$248. The allowance of this amendment would have made sure that the reform of our nation's financial service industry includes benefits to all Americans.

Madam Chairman, H.R. 10, the Financial Services Act of 1999, represents a historic moment for America. I am supportive of a bill that would update our Depression era banking laws. Indeed, according to the Treasury Department, financial services modernization could provide as much as \$15 billion annually in savings to consumers. Modernization will create a streamlined, one stop shopping with comprehensive choices for consumers.

I must state in no uncertain terms that notwithstanding the potential benefits that H.R. 10 represents for consumers, the structured rule prohibited dialogue on the key issues of redlining, financial and medical record privacy and community lending. Accordingly, I strongly oppose the rule. It is my desire that these important issues will be revisited in conference.

RECOGNIZING SERGEANT J.
EMILIO TRUJILLO

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 12, 1999

Mr. McINNIS. Mr. Speaker, it is with great pleasure that I wish to recognize Sergeant J. Emilio Trujillo of the Pueblo Police Department for his years of outstanding service and for his dedication to protecting the citizens of Pueblo,

Colorado. His hard work, commitment, and compassion are to be commended.

For 34 years, Mr. Trujillo has served in law enforcement, spending most of his time in the department's identification section. He is known as the best identification officer in Colorado. As supervisor of the section, he has served on and managed the crime-scene investigation of virtually every homicide, robbery, or serious crime committed in the Pueblo area.

Sergeant Trujillo's knowledge, experience, and work ethic are to be valued and appreciated. He is highly respected and admired in the law enforcement community for his technical knowledge and supervisory skills. Recognized throughout the nation as an expert in latent fingerprint examination, Emilio Trujillo is a qualified expert court witness in fingerprints, photography, and marijuana identification.

Not only has he served as an active policeman, he has also worked to prepare future police officers by teaching and sharing his experience with those attending the police academy. He has provided leadership and an example to follow for students of forensic investigation techniques. Men like Sergeant Trujillo are few and far between. I am thankful for his dedication to the citizens of Pueblo. It is for his efforts to uphold justice and serve and protect the people that I now pay tribute to Sergeant J. Emilio Trujillo.

RECOGNIZING EMERGENCY MEDICAL OFFICER RANDALL BRADFORD

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 12, 1999

Mr. McINNIS. Mr. Speaker, I would like to take a moment to recognize Emergency Medical Officer Randall Bradford of Pueblo, Colorado. For his bravery, dedication and hard work. I would like to pay tribute to Mr. Bradford.

For 28 years, Randall Bradford has spent his time responding to medical emergencies of all kinds, and saving the lives of many individuals. Classified as a medical officer, he not only actively serves to protect life, he also trains other firefighters and the public to perform CPR and to work as EMTs. Known for his patience and composure while aiding the injured and the ill, Mr. Bradford is well liked by all he comes into contact with.

Mr. Bradford goes above and beyond the call of duty volunteering for and striving to complete tasks outside of his job description. He serves as a Medical Evaluator for the CSEPP Program, and as a member of the fire Department Critical Incident Debriefing Team. Credited with writing the Mass Fatality section of the Pueblo County Disaster Plan, he has also written and assembled the guide currently used by the Fire Department for medical reports.

Currently, Mr. Bradford is focusing on the "Drive Smart Pueblo" program to educate drivers in the selection and use of child safety seats. He has volunteered numerous hours toward working at child Safety Seat check