

Mass tort product liability law is not a highly specialized area of the law requiring adjudication by judges specially trained in the subject matter. The issue of whether or not we federalize mass tort product liability suits does not jeopardize the completion of multi-billion-dollar transactions that can determine if U.S. companies will continue to compete in the global marketplace.

Mr. Chairman, I am extremely proud of the corporate law legal expertise that has developed in Delaware. It is just one of many features that makes Delaware a "Small Wonder." Members may have divided opinions on the merits of the overall legislation, but just as there was no controversy over the state corporate law carve out when the House passed the Securities Litigation Uniform Standards Act, there should be no controversy over the need for the corporate law carve out in this bill.

MOTION TO INSTRUCT CONFEREES
ON H.R. 1501, JUVENILE JUSTICE
REFORM ACT OF 1999

SPEECH OF

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 23, 1999

Ms. WOOLSEY. Mr. Speaker, I rise today in support of my colleague from New York's motion to instruct.

Once again, we are standing here having to remind Republicans that protecting our children from gun violence is the most important issue we should be addressing in Congress.

And yet, my colleagues on the other side of the aisle are sitting and doing nothing. We can not stand for this!

Every day that goes by that we do not act is another day a child falls victim to gun violence. How many more deaths are we going to allow before we take action?

Our children are scared and so are their parents. We cannot afford to let another child slip through the cracks.

I ask you, who's taking care of our children? Let's address this issue once and for all. Let's not sacrifice the life of another child to indecision.

IN HONOR OF HELEN KARPINSKI
ON HER 100TH BIRTHDAY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 1999

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Helen Karpinski on her 100th birthday, October 7, 1999. She will be celebrating this joyous occasion with her family on October 10, 1999.

Born in 1899 in Cleveland, Ohio, Helen Karpinski has dedicated her life to government and civic service. She has actively participated in the American Polish Women's Club and has been a member of the Cleveland Cultural Garden Federation. Additionally, she has spent

her life being a political activist, promoting and supporting women aspiring to public office. She helped catalyze the women's movement in government by such accomplishments as being the first woman to survive a primary election for Cleveland City Council under the current city charter. The work she has done for women in politics has been immeasurable.

At 100 years young, Helen continues to live a fulfilling and happy life. She has been a wonderful mother of three beautiful daughters, Gloria, Mercedes, and Diane. Helen is loved by her family and the many lives in her community that she has touched. My fellow colleagues, please join me in wishing a great lady a very happy birthday and many more delightful years to come.

SUPPORTING THE ETHNIC AND MINORITY BIAS CLEARINGHOUSE ACT OF 1999

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 1999

Mr. ENGEL. Mr. Speaker, I rise in support of greater diversity in our national media. If we learned anything this past year, it is that the media has a tremendous influence in our day-to-day lives. The impact of this "Information Age" influence needs to be examined because it does not always promote accurate images. To address this important issue, I introduced H.R. 125, the "Ethnic and Minority Bias Clearinghouse Act of 1999."

While this legislation will shed a good deal of sunshine upon our media, it will not attempt to place any mandates upon broadcasters. H.R. 125 will direct the Federal Communication Commission to begin compiling data on complaints, grievances and opinions regarding radio and television broadcasters depiction of ethnic and minority groups. This information will be released to the public on a yearly basis and will be discussed in an annual conference to examine our nation's perception of the media's depiction of our great ethnic diversity.

In support of my legislation I submit for the RECORD a letter that was sent by the National Italian American Foundation (NIAF) to the Academy of Television Arts and Sciences which illustrates the need for my legislation.

September 7, 1999.

MS. MERYL MARSHALL,
Chairwoman and CEO, The Academy of Television Arts and Sciences, North Hollywood, CA.

DEAR MS. MARSHALL: The National Italian American Foundation (NIAF) is pleased to note that a large number of Italian Americans have been nominated by The Academy of Television Arts and Sciences for their contributions to primetime television.

Your September 12th Annual Primetime Emmy Awards has nominated NIAF supporters such as Stanley Tucci for Outstanding Lead Actor In A Miniseries Or Movie; Joe Mantegna for Outstanding Supporting Actor in the same category; and Tony Danza as Outstanding Guest Actor In A Drama Series. Italian Americans are also up for awards in comedy, drama, direction, editing, hairstyling, makeup, and music.

These nominations confirm the tremendous contributions that Italian Americans

have made in the fields of art and entertainment. However, NIAF is greatly concerned about the amount of attention and acclaim which has been given to the Home Box Office series, "The Sopranos", and how it relentlessly focuses only on Italian Americans in organized crime.

NIAF appreciates and recognizes the acting skills and hard work of Emmy nominated performers like James Gandolfini, Lorraine Bracco, and Edie Falco, as well as the work of the rest of the cast and crew. But NIAF agrees with writer Bill Dal Cerro, who wrote in the June 20th Chicago Tribune that the show "not only exploits popular prejudice about Italian Americans, but allows the audience to giggle at such images guilt-free."

This past year has seen an open season assault by the entertainment industry on people of Italian American heritage. Whether it be a Pepsi television ad featuring a little girl speaking in an Italian American "Godfather" voice, derogatory films such as Spike Lee's "Summer of Sam", or TNT's despicable "Family Values: The Mob & The Movies", your industry has reinforced the stereotype that all Italian Americans are losers, or mobsters, or both.

The stereotyping is also insidious: type in the phrase "Italian Americans" in the internet search box of HBO's parent company, Time Warner, and you get a glossary of terms from "The Sopranos" with words like "Stugots", "Ginzo gravy" and "Wonder Bread Wop." These words are offensive to Italian Americans and should not be glamorized on the world-wide web in so careless a fashion.

Clyde Haberman of the New York Times, wrote the following in a July 30th article entitled "An Ethnic Stereotype Hollywood Can't Refuse":

"In this age of correctness, other groups have managed to banish the worst stereotypes about them. How often these days do you see shuffling blacks, grasping Jews or drunken Irishmen on the screen? . . . (but) Among major ethnic groups that have formed the country's social bedrock for at least a century, Americans of Italian origin may be the last to see themselves reflected in mass culture, time and again, as nothing but a collection of losers and thugs."

A study by the Italic Studies Institute, Floral Park, New York, bears out Mr. Haberman's assertion. The Institute analyzed 735 Hollywood films that featured Italian Americans from 1931 to 1998. It found 152 films were positive and 583 were negative towards Italian Americans.

NIAF agrees with Bergen, New Jersey Assemblyman Guy Talarico, who recently said that Italy has produced some of the finest artists, scientists, athletes and other professionals. Mr. Talarico introduced a resolution condemning the film industry's negative portrayal of Italians and warned that "it is inaccurate and insensitive to insinuate that a small number of people (in organized crime) represent an entire ethnic group." Or to put it another way, Energy Secretary Frederico Pena told a conference last year that stereotyping "is the package in which racism finds a home." And if allowed to continue, Pena said "we depersonalize each other and we see not the faces of the personal stories we can all share but the face of an impersonal group."

In fact, because Hollywood has been reluctant to reduce harmful stereotyping of Italian Americans and other minorities, NIAF has given its full support to "The Ethnic and Minority Bias Clearing House Act of 1999." The bill, HR 125, sponsored by New

York Congressman Eliot Engel, would create an office, probably within the Federal Communications Commission, to collect and analyze the media's portrayal of ethnic, racial and religious minorities, with an annual report on such portrayals in the industry prepared for Congress.

NIAF has begun a major effort to "Stamp Out Italian American Stereotyping," and we need the help of influential people in the entertainment community like yourself to help us achieve success.

We have enclosed NIAF's report, "Fact Sheets On Italian Americans In US History And Culture", and ask that you review it and distribute it to all members of the Academy of Television Arts and Sciences. The 37-page document contains a listing of significant contributions Italian Americans have made to the US in such fields as politics, education, entertainment, sports and law enforcement. Academy members who read this document, which is also available on NIAF's web site, www.niaf.org, would get a fuller representation of Italian Americans which could lead to depicting our people on television and in the movies in a more positive fashion.

We also ask that the Academy consider for next year's awards the Arts and Entertainment (A&E) film "Italians in America" and the History Channel film "Ellis Island." Both will be shown in October and both document Italian American history and achievements.

Finally, we would ask that the Academy agree to participate in an NIAF-sponsored workshop on "Italian American Stereotyping" which will take place in the second quarter of the Year 2000. Your participation will convince others in the entertainment industry that this is a problem which needs to be addressed if 20 million Americans of Italian descent, the nation's fifth largest ethnic group, are to be fairly depicted, as honest, hard-working individuals.

I have designated Dona De Sanctis, head of the NIAF's Media Institute Board, as your direct contact on these issues. Please contact her at NIAF headquarters, 1860 19th St., NW, Washington, DC, 20009, telephone: (202) 387-0600.

Sincerely,

FRANK J. GUARINI,
NIAF Chairman.

CONCORDIA LUTHERAN SCHOOL
DRUG TESTING

HON. MARK E. SOUDER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 1999

Mr. SOUDER. Mr. Speaker, there has been occasional controversy about drug-testing high school students.

Evidence is showing that this is the single most effective way to actually reduce drug abuse at school.

The Concordia Lutheran school system in Fort Wayne, Indiana is the largest Lutheran School system in the nation.

The following is an excellent summary of their reasons and debate around implementing a drug testing program.

I hope other school systems will show the commitment to improving the lives of their students that Concordia has.

FORT WAYNE LUTHERAN ASSOCIATION FOR SECONDARY EDUCATION,
CONCORDIA LUTHERAN HIGH SCHOOL,

Fort Wayne, IN, September 21, 1999.

To The Honorable Mark Souder.

Re Substance Abuse Prevention Program Concordia Lutheran High School.

Thank you for the opportunity to share information on our newly-instituted program of substance abuse prevention, including the requirement of random drug testing for all students and staff.

A bit of the history of this effort . . . The student surveys we have had conducted by research firms in Fort Wayne over the past 5-8 years have clearly confirmed our sense that the problem of student use of drugs and alcohol was in many ways similar to that of other schools. We have never hid from that reality, yet it was not until the spring of 1998 that we finally moved in a significant way to address and "do something" about the problem.

Two incidents of illegal use and possession were the "last straw" for us to act! Our goal was to do something about the problem, not study it. We were beyond further study.

The school administration formed a task force comprising students, staff, administrators, pastors, lawyers, professionals in the field, and officials from law enforcement. Judge Charles Pratt was also a member. The question was not, "Is there a problem?" Rather, the compelling issue was what can we do about the problem. I chaired the task force because I wanted it to do the right thing and get at the problem. I believed I had to demonstrate the commitment we had to the issue. Their interest and enthusiasm was inspiring, especially when they realized we were serious about this problem and getting at it!

The attached brochure outlines the program which was formulated over a period of six months. The Board of Directors of our Association endorsed the effort. The faculty also supported it. It was clearly apparent from the beginning that, if we wanted to do something to impact student use of illegal drugs and alcohol, random drug testing had to be a part of the program. As the professionals indicated, if you are not willing to drug test, we were wasting our time. As a task force, we crossed that hurdle and moved forward in the spring of 1999 with a proactive program of testing and ministry support when a problem occurs.

In the spring of 1999 we began a series of parent meetings at which time we shared the very real and dramatic data from the survey results. Then we outlined the plan and informed them that required random testing will begin with the 1999-2000 school year. We did not survey our parents. We knew we had a serious problem and we needed to act. Quite frankly, it would have muddied the process, resulted in political debate and parent reaction. We were convinced we were doing the right thing and all of the expertise we had totally supported the action plan! The program was built around education, prevention, and treatment [see attached brochure].

There was some opposition from parents who were really bothered by the fact that we were going to conduct random testing of all students, but we concluded that we simply had to do it. Many hours were spent talking with families who expressed concerns. We took the news to the media and made the news ourselves, having concluded that this was the best approach. As you might know, the media made a rather negative issue out

of the news, focusing attention only on testing and not the overall program. Publicly it appeared that there were many who objected. Yet there were many who wrote and supported our efforts, including our own students.

I did not receive even five negative letters. Since the spring, as people have talked through the issue of testing and considered it, we have had total cooperation from families. To our knowledge, NOT ONE student did not return as a result of this issue. In fact, we lost fewer students over the summer than we normally do in an average year. Every parent signed a release form. We have had no complaint or refusal.

The procedures we put in place are carefully laid out and had the input of a variety of professionals. We take all the precautions, and more, of the DOT guidelines on testing. We have a doctor certified as a Medical Review Officer who would first review any positive tests. This takes place prior to the school ever being notified.

The testing company in Kansas City has an impeccable record and the percent chance of false positives is scientifically insignificant. We have overcome many fears as a result of careful and thoughtful planning. That, of course, is part of our philosophy of education. The testing is conducted weekly on students whose numbers come up on the randomization computer program. It works smoothly, and most people are totally unaware that it is even taking place!

All new employees are tested as a requirement of employment. This includes a cafeteria worker as well as an administrator. We have all staff in a randomization pool and have a plan in place should a positive test arise. Both the proactive plan to assist students and the plan for staff members are based on our approach to ministry, part of what makes our education distinctive.

All of the evidence told us that testing WILL reduce the usage among students. That is our prayer and hope, and we have seen and heard evidence that it does. The goal is to deter young people from using illegal drugs and alcohol.

Finally, alcohol is a problem more difficult to test and trace. Parties continue to take place outside of school but our testing program will not impact that behavior directly. It is our hope that the overall impact of the program is also having a positive effect on other student behaviors. Only time will tell. In the mean time, our families, students and staff are dealing with the problem in a very real way. The actual testing takes place almost unnoticed during the day. It has simply become a part of our day and we like it that way. I might add that we have a registered nurse on duty every school day, all day. Our program which the clinic has put together is high impact, connecting with our guidance program. We use urine testing as our method. The current cost is \$16 per test. A courier picks up the material on its way to Kansas City!

It is public knowledge that the son of our head nurse, a good student and athlete, was one of the students arrested in May of 1998, taken away from school in handcuffs, and of course was expelled. He is back in school after one full semester away [our minimum policy] and is doing very well in school. He is a good kid who hopefully learned a huge lesson about selling marijuana! The judge asked us if he could do some of his service hours at Concordia. We agreed and he paid that price in the summer of 1998 leading into his semester away from Concordia.

I also recommended to our administrators that we move our annual Cadets In Cadence