

THE TRAGIC DEATH OF MATTHEW
SHEPARD

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 18, 1999

Ms. PELOSI. Mr. Speaker, with great sadness I rise to recall that 1 year ago, Matthew Shepard, a gay college student, was murdered. We should all deplore his tragic death. He was a lovely young man and was courageously willing to be open about who he was. He suffered because of who he was. This is simply wrong. It is a tragedy when a young man has the courage to be open about who he is, and his life is taken for it.

Unfortunately, Mathew is not alone. His tragic death and violence toward others point out the need for hate crimes legislation. According to the National Coalition of Anti-Violence programs, in 1998, 33 Americans were murdered because they were gay or lesbian. In the United States last year, there were at least 2,552 reports of anti-gay or lesbian incidents. The number of serious assaults in which victims sustained major injuries grew by 12 percent. How many more deaths, how many assaults on the personal integrity of people, need to happen before this Congress will see the need for hate crimes legislation?

The statistics and Matthew's individual personal story demonstrate that these incidents are not isolated. Harassment of gays, lesbians, and bisexuals is not isolated to one geographic area nor to any one factor. As our country knows all too well, hate crimes take many forms and affect many different kinds of victims. We all remember the 1996 horrible murder of James Byrd, Jr., an African-American man in Texas. We all remember earlier this year, when a gunman opened fire at a Jewish Community Center and then singled out an Asian-American and shot him. These harsh stories are troubling and unfortunately, recent shootings are a constant reminder of the hate that still exists in our society.

The Hate Crimes Prevention Act would provide law enforcement officials with needed tools, and would serve as a lasting tribute to the lives of Matthew Sheppard, James Byrd, Jr., and the others who have been victimized by hate crimes. The Hate Crimes Prevention Act would not end all violence against people because they are gay, or African-American, or Jewish, or come from another country. Nonetheless, this legislation would allow the Federal Government to investigate and punish crimes motivated by hate.

The murder of Matthew Shepard is the manifestation of the enduring bigotry that still prevails in our society. Our Nation should take action and pass this responsible legislation which would enable Federal law enforcement officials to fight these crimes and punish the perpetrators.

EXTENSIONS OF REMARKS

IN HONOR OF RONALD J. TOBER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 18, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor Ronald Tober for his many years of service to the Greater Cleveland Regional Transit Authority. He plans to celebrate with friends and family at a farewell dinner on October 22, 1999.

Robert Tober has had a very successful career in the public transit industry. Mr. Tober has served as the General Manager and Secretary-Treasurer for the Greater Cleveland Regional Transit Authority since May, 1988. Prior to this appointment, Mr. Tober served as Director of Transit for the Municipality of Metropolitan Seattle for six years. For two years he was Deputy Transportation Coordinator for Metropolitan Dade County in Miami. He also served as Assistant Director of Operations and Chief Operations Planning Officer for the Massachusetts Bay Transportation Authority in Boston.

Robert Tober is recognized nationally as one of the top transit managers in the country, having served over twenty-eight years in the public transit industry. Mr. Tober has carried his dedication to transportation into leadership positions for several transit organizations. While serving as President of the Ohio Public Transit Association, he helped develop better transportation for the citizens of the state of Ohio. He also has been noted for promoting and hiring women and minorities in the industry.

Mr. Tober has been a great asset to the state of Ohio and city of Cleveland. His innovative ideas and leadership have guided the development of the public transit industry. His wife, Terry and four children are so proud of him.

I urge my fellow colleagues to please join me in congratulating Mr. Tober on his many accomplishments and commemorate him for his dedication to the public transit industry.

HONORING CINCINNATI'S 1999 TALL
STACKS CELEBRATION

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 18, 1999

Mr. PORTMAN. Mr. Speaker, I rise today to honor Cincinnati's 1999 Tall Stacks celebration and the special national recognition it is receiving from the Library of Congress. This year, the Library of Congress is celebrating its bicentennial with an exciting new Local Legacies Project, which will document America's heritage by preserving unique cultural events and activities across the country.

From the earliest days of recorded history in Southwest Ohio, our traditions and culture have been shaped by the Ohio River. That's why I was delighted to nominate the recent Tall Stacks celebration as our region's contribution to this project.

The Tall Stacks event, which took place last week in Cincinnati, was a great celebration of

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our region's riverboat heritage. Nineteen riverboats from across the nation—including several classic steam-powered vessels—came to Greater Cincinnati to recreate a bygone era. And many thousands of visitors came to our region to take a step back in time and to share in this celebration.

Through its inclusion in the Local Legacies project, Tall Stacks will receive additional national recognition for its role in commemorating an important chapter in our regional and national history. And, through the National Digital Library Program, people from across the country and throughout the world will be able to share the excitement of Tall Stacks through the Library of Congress website (<http://www.loc.gov>).

We have a rich and distinguished history in Southwest Ohio. From our region's active involvement with the Underground Railroad to the Suspension Bridge, Fountain Square and our many well-preserved historic areas, we have a tremendous heritage of which we can all be proud. The riverboat era is an important part of that heritage, as Tall Stacks reminds us now and into the future.

TRIBUTE TO AMBASSADOR E.
WILLIAM CROTTY

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 18, 1999

Mrs. MEEK of Florida. Mr. Speaker, it is with great honor that I rise to pay tribute to one of our Nation's exceptional diplomats, E. William Crotty, Ambassador to Barbados, Antigua and Barbuda, Dominica, Grenada, St. Kitts-Nevis, St. Lucia, and St. Vincent and the Grenadines. This able facilitator of American diplomacy passed on Sunday, October 10, 1999. He is survived by his loving wife, Valerie Kushner, and several outstanding children.

Ambassador Crotty was nominated by President William Clinton on April 28, 1998. Prior to this appointment, Ambassador Crotty was an attorney in Daytona Beach, FL. Ambassador Crotty served as a senior managing partner of one of the top law firms in the United States, where he was recognized as a leading lawyer in his area of practice, which included corporate and business transactions, banking and finance law, and taxation and real estate law.

Ambassador Crotty served appointments to at least 11 different commissions, including the Commission for the Preservation of America's Heritage Abroad by President Clinton in 1996 and the Judicial Foundation Board by Senate Majority Leader George Mitchell in 1989. He was quite active in the Democratic Party, serving on the National Finance Board of the Clinton-Gore Campaign, as a Democratic National Party Trustee, and as the Chairman of the Executive Committee of the Democratic National Committee Board of Directors from 1984 to 1988.

Ambassador Crotty was quite active in civil affairs, serving as chairman or member of the board of directors for numerous charitable and educational organizations, including the United Way of Volusia County, the Embury-Riddle

Aeronautical University in Daytona Beach, the Father Lopez High School Board, and the Volusia County Easter Seals. His indefatigable civic service earned him the title of Outstanding Citizen of the Year and Young Man of the Year from the Daytona Beach Chamber of Commerce.

Born in Claremont, NH, Ambassador Crotty exemplified leadership at an early age. He was an exceptional high school student at Bel-lows Falls High School in Vermont where he was a three-time state champion in tennis and graduated salutatorian of his high school class. Ambassador Crotty graduated from Dartmouth College, where he again excelled in athletics, making captain of his tennis team while also playing varsity squash and basketball. Ambassador Crotty received his law degree from the University of Michigan and obtained a master of law in taxation from New York University Law School.

The people of the United States, as well as the people of Barbados, Antigua and Barbuda, Dominica, Grenada, St. Kitts-Nevis, St. Lucia, and St. Vincent and the Grenadines will miss my friend—a great American and personal representative of the President of the United States.

PRIVATE ENTERPRISE
PROTECTION ACT OF 1999

HON. MARSHALL "MARK" SANFORD

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 18, 1999

Mr. SANFORD. Mr. Speaker, should tax-exempt bonds, subsidized by our constituents—be used by local authorities to enter into direct competition with private enterprise, outside the traditional functions of government? I don't believe so, and I would imagine most Americans would agree.

But that, Mr. Speaker, is the question addressed by the legislation I am introducing today, the Private Enterprise Protection Act of 1999. This legislation will help protect taxpayers from having the U.S. Treasury subsidize local government efforts to engage in unfair competition with private businesses.

As my colleagues are aware, tax-exempt bonds enable State and local governments to borrow at below market interest rates in order to finance public projects. This is generally a good program allowing State and local governments to reduce borrowing costs and enabling them to build public facilities for fewer tax dollars.

However, while the program has all good intentions, I would imagine that a vast majority of the American people would agree that tax-exempt bonds should be limited to use for projects which directly benefit the public good, but not to help the government engage in competition with private enterprise.

I was pleased to see my colleague from Texas, Mr. HALL, introduce H.R. 2756 this summer. His bill also aims to fix the problem I raise. In fact, the bill I introduce today is very similar to the Hall bill, but it incorporates several changes to reflect comments received on H.R. 2756.

It is important to keep in mind that while tax-exempt bonds are generally used for worth-

while purposes, the program does entail a sizable commitment on the part of the American taxpayer. According to the Wall Street Journal in 1997, tax-exempt interest income was reported on about 4.9 million individual returns, and total tax-exempt interest amounted to \$48.5 billion.

Because there is a sizable commitment here, Congress and the Treasury have developed complex and carefully crafted rules to assure that these bonds are used for bona fide public purposes and not for private use of the Federal subsidy in tax-exempt bonds. These rules are intended to protect the taxpayers' interest and preserve a level playing field for concerned businesses.

A couple of instances have come to my attention in the last few months which suggest that there may be some misunderstanding of the very complex rules governing tax-exempt bonds and the intent behind these rules which have led local authorities to consider use these bonds to enter into direct competition with the private sector. The instances to which I refer include one in Las Vegas, where a local authority reportedly wishes to build a large addition to its convention center, and another in San Diego, where a local authority is reportedly looking at building a large hotel.

In cases like these, the taxpayer-subsidized facility can offer customers prices well below those that could be offered by a private facility financed at higher market rates. This strikes me as blatantly unfair, particularly in those cases where a taxpayer-subsidized facility is not a new enterprise, but instead siphons off business from already existing private business. Closing this loophole is the principal goal of my bill.

Obviously, my concern is with situations where the government is acting as a business and attracting customers. This legislation will have no effect on bonds used to build, maintain, or repair schools, hospitals, roads, or other facilities performing functions which private enterprise cannot or will not perform.

Mr. Speaker, it is bad enough that the government can impose unnecessary and costly regulatory burdens on the private sector. But, when that same government uses tax-exempt bonds to engage in competition with business, it raises a question of basic fairness.

It also blurs the lines of the role of government. Is it a wise use of taxpayer dollars to subsidize local government competition with business? I would again argue that my constituents would not support this notion or many other taxpayers.

Mr. Speaker, these are serious, national policy issues which need to be addressed on a bipartisan basis so that we can protect both private enterprises from subsidized government competition and the taxpayer interests.

It should be made clear at this point that the idea that federal tax subsidies and tax exemptions should not be used to create such an unfair competitive advantage is already in the current tax code. To prevent unfair competition, for nearly 50 years, there have been laws that have taxed businesses conducted by charities if the activity of that business is the type normally conducted by private taxable enterprises.

Keeping in line with this precedence, the legislation I introduce today closely tracks H.R.

2756 by denying tax-exempt financing for certain facilities that compete directly with existing private sector facilities in the same community. Specifically, it accomplishes this by deeming as nonexempt any "private activities bond" within the meaning of Section 141 of the Internal Revenue Code, any bond issuance, a significant amount of which is used to finance the construction, expansion, or substantial reconstruction of a facility which would be rented to businesses which could otherwise be served by an existing competing private facility.

As a clarification, Mr. Speaker, let me say again that the bill does not affect bonds issued for traditional functions of government: roads, bridges, schools, etc. To make this perfectly clear, it specifically exempts from its provisions educational institutions, hospitals, or similar facilities which provide educational services or medical care to members of the general public.

With one minor exception, the bill will not apply to "qualified bonds" that Congress has previously exempted from restrictions on "private activity" bonds. This includes bonds used for so-called "exempt facilities" under Section 142 of the Code, which includes such projects as airports, water treatment plants, docks and wharves, local power plants, etc. An exception is made for certain lodging facilities located in markets which could be served by private owned facilities, and these would generally be covered by my bill.

Furthermore, the bill include language to assure that projects, where physical construction has both already commenced in a material fashion (other than site testing, site preparation or similar activities) and is substantially underway, are not impacted. In fairness to those who may be planning transactions which fit within the parameters of this legislation, and to assure those local authorities, in an attempt to "beat the clock," do not rush through bond offerings before this bill is enacted, the bill include a clear effective date for all provisions with the exception of those addressing lodging facilities, which carry a date of enactment effective date.

Mr. Speaker, the legislation will protect businesses from having the Federal Government grant local government facilities an unfair advantage over them in the marketplace. Further, it will protect all taxpayers from having their tax dollars used to subsidize local government efforts to enter into, or expand its presence in, non-traditional business functions already being performed by private enterprise.

RECOGNIZING PARTICIPANTS OF
"VOICES AGAINST VIOLENCE: A
CONGRESSIONAL TEEN CON-
FERENCE"

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 18, 1999

Mr. DOYLE. Mr. Speaker, I rise today to recognize three wonderful teenagers from my Congressional District. Miss Ashley Cole, a junior at Woodland Hills High School; Mr. Aniruddha Chatterjee, a senior at Fox Chapel High School and Mr. Jonathan Hobaugh, a