

closure with use of specialized sonar equipment and its team of volunteers from law enforcement agencies, fire departments, the medical profession, the U.S. Navy, and technical and scientific diving fields. Although their operations generally cost about \$50,000 a day, the group provides the services free of charge. In addition, services for the divers were provided by area companies.

Kelvin's body could not have been found and properly buried if not for the efforts of the Trident Foundation and local organizations. I commend their commitment and service to Columbus and other communities across our nation. Their work has allowed Columbus and the Carpenter's Way family to mourn, and Kelvin Moreland to rest in peace.

TRIBUTE TO M.J. KLYN, A GREAT  
LIVING CINCINNATIAN

**HON. ROB PORTMAN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 12, 1999*

Mr. PORTMAN. Mr. Speaker, I rise today to pay tribute to Mary Jeanne (M.J.) Klyn, a dear friend and community leader who will be honored as a Great Living Cincinnatian on February 19, 1999 by the Greater Cincinnati Chamber of Commerce. She was selected for her exemplary community service, business and civic accomplishments, awareness of the needs of others, and achievements that have brought favorable attention to the Cincinnati area.

M.J. grew up in Illinois and attended Northwestern University. She was successful in banking, retailing and advertising in Cleveland, and was named the first female vice president of the University of Cincinnati. Among her duties was to work with the state legislature on funding and other issues. During her 23 years with the University of Cincinnati, she played a pivotal role in bringing the university into the state system and helped obtain more than \$2 billion for important capital projects. Among M.J.'s accomplishments were obtaining funds for the Shoemaker Center and the Barrett Cancer Center. She also led the drive to obtain the designation of the U.S. College of Engineering as one of ten NASA Federal Research Centers.

M.J. also served for 20 years on the Board of the Greater Cincinnati Convention and Visitor's Bureau, and earned its first Spirit of Cincinnati Chairman's Award. Women in Communications honored her with its Movers and Shakers Award. M.J. makes friends wherever she goes, and I feel lucky to be among them. All of us in Cincinnati are grateful for her leadership, service, and commitment to our Greater Cincinnati community.

PERSONAL EXPLANATION

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 12, 1999*

Mrs. MALONEY of New York. Mr. Speaker, during rollcall vote No. 13 (H.R. 439), I was

EXTENSIONS OF REMARKS

unavoidably detained. Had I been present, I would have voted "yea."

PACKERS AND STOCKYARDS ACT  
AMENDMENTS

SPEECH OF

**HON. BOB ETHERIDGE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 9, 1999*

Mr. ETHERIDGE. Mr. Speaker, I want to commend Mr. LATHAM for introducing this important legislation and Chairman COMBEST for bringing it to the floor today. As has been well documented, our pork producers have been devastated by record-low prices for their products over the past year. While live hog prices have fallen dramatically, consumer prices are virtually unchanged. Somebody is getting rich at the expense of our farmers. Pork producers need better and more up-to-date information on prices to ensure that they are being treated fairly, and I hope the investigation into pork prices prompted by this legislation will go a long way towards protecting their interests.

For too long, the processing and distribution of swine has been concentrated in too few hands. This concentration could be dangerous for our farmers, and I urge the Senate to move quickly to pass this important legislation. Too many small farmers and their families in North Carolina depend on swine production for their livelihood for us not to take action now. This investigation is a small but important step in the right direction and I urge the House to adopt this important bill today.

REJECT THE LEGAL "END  
AROUND" ON GUN MAKERS

**HON. JOHN E. SWEENEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 12, 1999*

Mr. SWEENEY. Mr. Speaker, in the wake of the tobacco lawsuits, many in our nation's legal profession have fallen into the wrong-headed idea that courts, rather than legislatures, should decide all public policy issues. Nowhere is this more notable than in the lawsuits recently filed by several cities against the firearms industry.

Mr. Speaker, even many publications that support restrictive gun control laws have spoken out against this trend. The Schenectady *Daily Gazette*, a newspaper that serves many of my constituents in upstate New York, blames violence on the lack of gun laws. I strongly disagree with that view—in fact, our nation has tens of thousands of gun laws at every level of government, and the laws in New York state are particularly strict.

However, I do agree with the *Daily Gazette's* conclusion that the lawsuits are "hugely misguided" and nothing but an "absurd money grab" designed to make a scapegoat of a highly regulated industry that manufactures a lawful product. Mr. Speaker, I urge the nation's courts and legislatures to reject these ridiculous lawsuits, and I insert the *Daily*

*February 12, 1999*

*Gazette* editorial for printing in the CONGRESSIONAL RECORD.

[From the Daily Gazette, Nov. 5, 1998]

DON'T SUE GUN MAKERS

New Orleans is a great destination for music lovers and gourmets, but it's also a good place to get shot. In fact, until a law-and-order mayor took office there four years ago, it had the dubious distinction of being "the murder capital of the United States." Now the city has filed a huge—and hugely misguided—lawsuit against 15 gun manufacturers. Numerous other large cities reportedly want to join the suit. Unbelievable.

A cousin to the numerous lawsuits pending against the tobacco industry, the suit attempts to make manufacturers a scapegoat for products that are wholly lawful and used primarily for their intended purpose. (Granted, guns aren't supposed to be used to commit murder, but there's little ambiguity about their primary function as weapons for killing and maiming, whether for hunting or self-defense.)

The lawsuit focuses on the product liability angle, claiming that because gun makers fail to use enough safety devices, their weapons are "unreasonably dangerous." This might be arguable if most gun deaths were accidental—if typical lines like "I didn't know it was loaded," or "It just went off" were true. But in New Orleans—as in most cities—the killings are intentional. And most adults who handle guns know to take at least a little care to guard against accidents.

Are the gun makers to blame when some drug dealer steals a pistol and wastes his rival with it? Not unless they're handing out the weapons, or glamorizing this sort of behavior with advertising, etc. And if some kid gets his hands on his parents' gun and accidentally blows his friend away, aren't the parents really at fault for not doing a better job securing the weapon?

Where cigarette manufacturers can be accused of promoting irresponsible usage, gun makers almost never advertise—at least not handguns. And where the cigarette's primary function is to provide smokers with pleasure—with illness an unfortunate consequence—guns are inherently lethal.

So let's stop this absurd money grab. Gun makers may not be completely devoid of responsibility for this country's gun problem, but a government that allows guns to be made and people to buy and possess them seems a lot more culpable.

STATES' INITIATIVE

**HON. TOM BLILEY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 12, 1999*

Mr. BLILEY. Mr. Speaker, yesterday I introduced H.J. Res. 29. I have sponsored this legislation with Congressmen KOLBE, GOODE, STUMP, GILLMOR, METCALF, SHADEGG, and MANZULLO. This constitutional amendment symbolizes what in Virginia we call the States' Initiative.

When the Founding Fathers wrote the Constitution in Philadelphia in 1787, they drew upon life's experiences and history to perfect the ideas and ideals the Constitution embraces. After they finished writing the Constitution, the Founding Fathers were wise enough

to know they could not foresee the future. As a result, Article V provides for a mechanism to amend the Constitution.

We all know the Constitution is not perfect, even after 27 amendments. The Constitution has, although, protected the individual liberties all Americans have enjoyed for over 200 years.

As the proud holder of the seat first held by James Madison, my first objective is to never do any harm to the Constitution. However, the Founding Fathers acknowledged a need to amend the Constitution. The States' Initiative is a direct descendant of Madison's writings.

In Federalist paper 43, James Madison wrote,

... useful alterations will be suggested by experience. The Constitution moreover equally enables the general and the state governments to originate the amendment of errors as they may be pointed out by the experience on one side or on the other.

At present, Article V provides for two ways to amend the Constitution.

The first involves the presentation of an amendment by Congress to the states for ratification.

The second is by constitutional convention, convened at the request of the State legislatures.

Even with both methods available, to date, all amendments to the Constitution have been enacted following passage by the Congress and ratification by three-fourths of the States.

Some have asserted that the second method has not been as effective as intended by the Framers.

On the Op/Ed pages of the Richmond Times-Dispatch, my local newspaper, Edward Grimsley wrote about the dilemma which would be remedied by the States' Initiative. Edward Grimsley wrote, "In the hands of the people the amending process could produce some truly wonderful results."

By allowing the States an effective mechanism to amend the Constitution, more power can be returned to the people. After all, "We the People" are the first 3 words of the Constitution.

Why is the States Initiative necessary? Persuasive arguments have been made that a constitutional convention might alter the Constitution more expansively than intended by proponents of a specific proposed amendment. This is known as the fear of a "run-away" convention.

The States Initiative implements a more effective method by which states could take the initiative in the process by which the Constitution is amended. This bill allows the States to initiate the amendment process that is devoid of the perils of a "run-away" constitutional convention.

Another problem with a constitutional convention is that even if it isn't a "run-away" convention (that is, even if the constitutional convention met to adopt only one amendment), the mere fact that the States met could have a far-reaching jurisprudential impact. Would the Supreme Court view a constitutional convention which kept the pre-existing Constitution as an implicit ratification of prior Supreme Court rulings? This would cause those on the left (who oppose certain Rehnquist Court rulings) and those on the

right (who oppose certain Warren Court rulings) a considerable amount of trouble.

To restore the Framers' design, that is a design where the states could initiate the amendment process, our proposal would allow a constitutional amendment to be presented to Congress after two-thirds of the States indicated approval of an identical amendment via their State legislatures.

If two-thirds of each House of Congress does not agree to disapprove of the proposed amendment, it would be submitted to the States for ratification.

Upon ratification by three-fourths of the States legislatures, the amendment would become part of the Constitution.

I am proud to sponsor this constitutional amendment which will return power back to States, where the Framers intended it to be.

#### PERSONAL EXPLANATION

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 12, 1999

Mrs. MALONEY of New York. Mr. Speaker, during rollcall vote No. 14 (H.R. 435), I was unavoidably detained. Had I been present, I would have voted "yea."

#### TRIBUTE TO JOHN RUTHVEN, A GREAT LIVING CINCINNATIAN

### HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, February 12, 1999

Mr. PORTMAN. Mr. Speaker, I rise to pay tribute to John Ruthven, a longtime friend and leader in my community, who will be honored as a Great Living Cincinnati on February 19, 1999 by the Greater Cincinnati Chamber of Commerce. He was selected based on his community service, business and civic accomplishments, awareness of the needs of others, and achievements that have brought favorable attention to the Cincinnati area.

As a child of the Depression, John says his family didn't have much—except of lot of love. He grew up in Walnut Hills and graduated from Withrow High School. After serving in the Navy during World War II, he graduated from the Cincinnati Art Academy and opened a commercial art studio. John won the prestigious Federal Duck Competition in 1960 with "Redhead Ducks," and his work began to be known across the country. In 1971, he founded Wildlife Internationale to produce limited edition lithographs. He has earned numerous awards, including Ducks Unlimited's First Artist, and Trout Unlimited Artist of the Year. John's art is displayed in the White House, in the Congress and in other prominent places around the world.

He has given generously of his time and extraordinary skill to benefit numerous charities over the years. He is a modern day Audubon who is both an internationally known wildlife artist and a committed naturalist. John Ruthven is also a warm and caring person

who brightens the lives of those he meets. He is a truly great Living Cincinnati. All of us in Cincinnati are proud of his accomplishments and are grateful for his service to others.

#### IN MEMORY OF JERRY FELDMAN

### HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 12, 1999

Mr. DEUTSCH. Mr. Speaker, I rise today to honor the memory of Jerry Feldman, a generous and ground-breaking community leader who will be greatly missed in South Florida.

After spending a large portion of his life in New York as a highly successful corporate executive and private business owner, Jerry and his wife Jacqueline retired to Century Village in South Florida. Adding to his already extraordinary list of accomplishments, Jerry Feldman plunged himself into community service in the hopes of improving the lives of his new neighbors and friends. As his wife so eloquently expressed, "He felt that God put him on this earth to make things better for people, and his reward would be a better life," she said. "If you cast your bread on the water, he felt, it would come back twofold."

Jerry Feldman became involved in many community organizations in his attempts to galvanize the community and create an open dialogue between South Florida's citizens. Besides being the President of the Condominium Owners of the Pembroke Pines Association, Mr. Feldman also served as Chairman of the Pembroke Pines Board of Adjustment, President of the Pembroke Pines Seniors and Law Enforcement Working Together (SALT) Council, and President of the Cambridge 4 Condominium Association in Century Village. As the Mayor of Pembroke Pines, Alex Fekete, noted, "he was a great community leader \* \* \* he helped to resolve issues \* \* \* there is a more harmonious relationship in Century Village now because of it."

In summary, Jerry's genuine leadership is rare in this age and he will be surely missed by the Century Village Community, as well as by the Pembroke Pines community at large. Jerry was an extraordinary human being who went above and beyond what he needed to be, because of his sincere desire to help his fellow man. We will all miss Jerry, but we are lucky to have so many wonderful memories of his life and work.

#### PERSONAL EXPLANATION

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 12, 1999

Mrs. MALONEY of New York. Mr. Speaker, during rollcall vote No. 15, Boehlert amendment to H.R. 350, I was unavoidably detained. Had I been present, I would have voted "yea."