

policyholders, many of our constituents, at risk of losing \$94.7 billion in equity. Their letter also follows my statement.

Finally, our capital markets are the envy of the world and their success rests on the high level of public confidence in their integrity, fairness, transparency, and liquidity. While S. 900 pays lip service to the functional regulation of securities by the SEC, it, in fact, creates too many loopholes in securities regulation—too many products are carved out, and too many activities are exempted—thus preventing the SEC from effectively monitoring and protecting U.S. markets and investors. In a final indignity, the effective date of the securities title was extended mysteriously to 18 months from the one year approved by the conference committee. So, the title I Glass-Steagall repeal is effective 120 days after date of enactment, the insurance provisions are effective on date of enactment, the pitiful privacy provisions are effective six months after the date of enactment, but the banks do not have to comply with the federal securities laws until 18 months or a year and a half after the date of enactment. This makes absolutely no sense whatsoever, but, considering all the other problems with this bill, is par for the course.

I support modernization of our financial laws. I support competition and innovation. I do not believe either should be accomplished at the expense of taxpayers, depositors, investors, consumers, and our communities.

S. 900 is a bad bill for the reasons I have outlined. I therefore refused to sign the conference report and I will vote "no" on passage.

CONFERENCE REPORT ON S. 900,  
GRAMM-LEACH-BLILEY ACT

SPEECH OF

**HON. CAROLYN C. KILPATRICK**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 4, 1999*

Ms. KILPATRICK. Madam Speaker, I rise today in support of S. 900, the Financial Services Modernization Act. This conference report is the culmination of years of efforts on the part of Congress, several Administrations, and federal financial regulators to create a rational and balanced structure to sustain the continued global leadership of our nation's financial service sector. This is not a perfect bill. I would like for the Community Reinvestment Act (CRA) provisions and the privacy provisions of the bill to be strengthened, but I understand the political process involves compromise, and this legislation represents just that. As a former member of the Banking Committee, I know that the agreement reached by the members of the Conference Committee and the Administration is built on the consensus that exists among the banking, securities and insurance firms regarding the need for this legislation. This act will benefit consumers, businesses and the economy by finally reforming our antiquated banking and finance laws. Consumers and businesses will benefit from a wider array of products and services offered in a more competitive marketplace that result directly from enactment of this law.

The Act will permit the creation of new financial holding companies, which can offer banking, insurance, securities and other financial products. These new structures will allow American financial firms to take advantage of greater operating efficiencies. For financial institutions, increased efficiency will mean increased competitiveness in the global marketplace. For consumers, increased competition will mean greater choice, more innovative services, and lower prices for financial products. For the economy, this will mean better access to capital to spur growth.

Since the beginning of my service in the United States Congress, I have been committed to the vitality of the Community Reinvestment Act (CRA). I am encouraged that this Act, for the first time, will apply CRA to banks and their holding companies as they expand into newly authorized non-banking activities. Until now, the law has permitted banking organizations to make very large acquisitions of securities firms and to engage in other non-bank activities without any CRA performance requirements at all. Under this bill, no banking organization can become involved in these new activities if any of its insured depository affiliates has a less than satisfactory CRA rating. This is a flat prohibition, and I believe a move in the right direction toward the expansion of CRA from current law. Like many of my colleagues, I stringently support the expansion of CRA. However, as a veteran legislator, I recognize that the legislative process, by definition, produces compromises by all parties. I believe that the CRA provisions in S. 900 are a good compromise toward ensuring that the modernization of our financial system works for all Americans.

For the first time, financial institutions must clearly state their privacy policies to customers up front, allowing customers to make informed choices about privacy protection. The Act will require financial institutions to notify customers when they intend to share financial information with third parties, and to allow customers to "opt-out" of any such information sharing. Under existing law, information on everything from account balances to credit card transactions can be shared by a financial institution without a customer's knowledge. This can include selling information to non-bank firms such as telemarketers. This Act provides the most extensive safeguards yet enacted to protect the privacy of consumer financial information. The Act also provides other important consumer protections, including mandatory disclosures and prohibitions on coercive sales practices, protection of a wide variety of state consumer protection laws governing insurance sales, strengthening protections when banks sell securities products, and making full disclosures of fees at ATM machines.

Madam Speaker, this Act is a step forward in improving our nation's financial service system for the benefit of consumers, community groups, businesses of all sizes, financial service providers, and investors in our nation's economy. Financial services modernization legislation has taken a long road to final passage. I remain committed to expanding access to the economic mainstream for all Americans. While not perfect, S. 900 will finally bring financial services law in step with the marketplace.

IN HONOR OF NORTHEAST OHIO  
AREAWIDE COORDINATING AGENCY

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, November 8, 1999*

Mr. KUCINICH. Mr. Speaker, I rise today to congratulate Northeast Ohio Areawide Coordinating Agency (NOACA) on their recent award for Outstanding Overall Achievement for large Metropolitan Planning Organizations presented by the Association of Metropolitan Planning Organizations. This prestigious award, given to only one organization nationwide each year, was well deserved.

The Outstanding Overall Achievement for large metropolitan Planning Organizations Award recognizes exceptional work in metropolitan transportation planning. NOACA's award nomination focused on the newly adopted transportation plan, Framework for Action 2025. This plan is a 25-year innovative, goal-oriented plan that supports transportation investments that boost economic redevelopment in the region's core cities. Framework for Action 2025 also focuses on preserving the environment, improving the efficiency of the transportation system and providing greater transportation choices for the local commuters.

In the past, the NOACA has made significant achievements by making cooperative planning efforts. Their newly adopted plan shows that they are still committed to this in the future. NOACA has made tremendous efforts to reach out to Northeast Ohio and make innovative improvements in the transportation industry.

My fellow colleagues, please join me in honoring this fine organization as they accept the Outstanding Overall Achievement Award for large Metropolitan Planning Organizations. This is a significant achievement and tremendous honor for the organization.

OUR DOMESTIC CHILD LABOR  
LAWS SHOULD BE REFORMED  
SEVENTEEN MAGAZINE REPORTS  
ON PROBLEMS OF CHILD LABOR  
IN AGRICULTURE

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, November 8, 1999*

Mr. LANTOS. Mr. Speaker, I rise today to share with my colleagues in the House an article written by Gayle Forman which appeared in the October 1999 edition of Seventeen Magazine. The article, entitled "We Are Invisible," is about one of this country's ugly secrets—children laboring in our country's fields, harvesting the produce that all of us eat, and working under deplorable and backbreaking conditions which take a toll of their health and education. In her excellent article, Ms. Forman writes about the challenges facing children and families who work in the fields in trying to scrape by on meager wages and appalling working conditions. Since most of my colleagues are not avid readers of Seventeen, I

want to call their attention to this article and the very serious issue it raises.

Agriculture is one of the most dangerous industries in the United States, but children are still allowed to work legally at very young ages for unlimited hours before and after school in extremely dangerous and unhealthy conditions. As many as 800,000 children work in agriculture in this country, picking the fruits and vegetables that end up in our grocery stores, either as fresh or processed fruits and vegetables.

Children who work in our Nation's fields are killed and suffer life-changing injuries. Recently, a 9-year-old was accidentally run over by a tractor and killed while working in a blueberry field in Michigan. A 13-year-old was knocked off a ladder while he was picking cherries in Washington State and was run over by a trailer being pulled by a tractor. A 17-year-old was sprayed twice by pesticides in 1 week in Utah while picking peaches and pruning apple trees and died of a massive brain hemorrhage.

Children who work in agriculture often do so at the expense of their education—and education is critical to help these children break out of the cycle of poverty. Mr. Speaker, we have a responsibility for the future of these children, which means their education, and we have a responsibility to protect them from job exploitation.

Under current Federal law, children working in agriculture receive less protection than children working in other industries because of many outdated and outmoded exceptions included in our laws. For example, children age 12 and 13 can work unlimited hours outside of school in nonhazardous agricultural occupations but are prohibited from working in non-agricultural occupations. It is illegal for a 13-year-old to be paid to do clerical work in an air-conditioned office, but the same child can legally be paid to pick strawberries under the blazing summer sun. In some instances, children as young as 10 years old are working in the fields harvesting our Nation's produce.

Mr. Speaker, our laws are inconsistent and out of date with regard to the long-term changes in agriculture that have taken place. Children working in agriculture no longer merit such separate and unequal protection. The agricultural industry is no longer dominated by family farmers who look out for their own children's health and well-being as they work in agriculture. Today, major agricultural conglomerates control much of the production and the work force in agriculture, and children who work in the fields are hired laborers. Given these and other changes in our Nation's agricultural economy, I ask why children in agriculture should be treated differently than children working in other industries.

Mr. Speaker, earlier this year, I introduced H.R. 2119, the "Young American Workers' Bill of Rights Act" which would provide equal standards of protection for children who work in agriculture and children who work in other sectors of our Nation's economy. The "Young American Workers Bill of Rights" would take children under the age of 14 out of the fields. It would create an exception only for family farms, where children would still be able to assist their parents on farms owned or operated by their family.

Mr. Speaker, last year, our colleagues, Congressman HENRY WAXMAN and BERNARD SANDERS and I released an important GAO report entitled "Children Working in Agriculture" which found that current legal protections, the enforcement of those protections, and educational opportunities for children working in our fields is grossly inadequate. The GAO reports that hundreds of thousands of children working in agriculture suffer severe consequences for their health, physical well-being and academic achievement. There are also weaknesses in enforcement and data collection procedures, with the result that child labor violations are not being detected.

Mr. Speaker, as a result of this article which appeared in *Seventeen Magazine*, young people around our Nation have written to me during passage of legislation to deal with these problems. I ask that the article be placed in the RECORD, and I urge my colleagues to read the article and support meaningful comprehensive domestic child labor reforms, specifically including adoption of H.R. 2119, the "Young American Workers Bill of Rights."

[From *Seventeen Magazine*, October 1999]

(By Gayle Forman)

#### WE ARE INVISIBLE

Imagine that it's summer and instead of sleeping in and then hanging at the pool, you wake up at 5 a.m. You get dressed in jeans and a long-sleeved flannel shirt, and head out to a dusty field. There you spend the day bent over at the waist, plucking cucumbers that grow on prickly, low-lying vines in the ground. You do this alongside your family, throughout the day, taking a half-hour break for lunch. Imagine how it feels by afternoon, when the sun's glaring down on you, making you sweat so much in your heavy clothes that your body is dripping and your shoes are as wet as if you'd stepped in a puddle. Your hands swelter in gloves, but if you took them off you'd be exposed to pesticides or cut by thorns. Imagine that you work like this, sometimes for more than 12 hours, before heading back to the trailer or tent that is your temporary home. You shower, eat and go to sleep. The next morning you do it all over again.

One more thing: Imagine that you're nine years old.

Janie doesn't have to imagine this life. The 18-year-old from Weslaco, Texas, began working in the fields when she was nine. Along with her parents, two brothers and a sister, Janie is a farmer—but not the kind most of us think of. They don't live in a farmhouse or till their own fields. Rather, they're migrant farmworkers who crisscross the country from spring to fall, traveling from crop to crop, picking the fruits and vegetables that wind up on our tables.

In spite of all the technological advances in this country, a majority of crops—including the oranges in your juice and the pickles on your burger—must be harvested by hand. And many of those hands belong to kids. The United Farm Workers union estimates that as many as 800,000 children work in agriculture in this country—and most of these kids are U.S. residents or citizens.

#### DANGEROUS—AND LEGAL

Here's the thing. Such work is not against the law. Under our child labor rules, a 13-year-old cannot work in a clothing store after school, but she or he can labor in a field. In fact, it's legal for children as young as 10 to hand-harvest crops for five hours a day if their parents and the farmers for

whom they're working get permission from the U.S. Department of Labor. These laws may seem strange, but in the 1930s, when child labor statutes were set up to protect children, exemptions were made so kids could work on their families' farms. Today, however, most child agricultural laborers are migrant or seasonal workers who toil on someone's else's land.

Some families—whether ignorant of or just ignoring the laws—will let really young kids work legally. "I've seen children as young as six picking with their families," says Diane Mull, executive director of the Association of Farmworker Opportunity Programs (AFOP), an organization that provides support for migrant farmworkers. It's not that fieldworker parents don't love their kids. "Parents are faced with tough choices. Either they're going to take their kids to the field, to help make as much money as possible, or they won't be able to put food on the table," says Mull.

She's not exaggerating. Migrant farmworkers are among the poorest people in the country—the average family earns less than \$10,000 a year. Janie understands that bleak economic reality all too well. "When I first had to work, I was upset. I didn't want to do it," says the bright-eyed brunette, who loves salsa music and Jean-Claude Van Damme movies. "My parents told me it was necessary if we wanted to meet our expenses. When I looked at it that way, I wanted to help."

If parents were more aware of the dangers, they might be less willing to have their kids work on farms. Kids who labor in fields account for about 11 percent of working children in the United States—and 40 percent of all on-the-job deaths of kids happen to that small group. And then there are the pesticides: No one's sure what effect the chemicals have on kids because studies only look at how pesticides affect full-grown male adults. But a chemical that doesn't hurt a 150-pound man may be toxic to an 80-pound girl. And long-term exposure to pesticides has been linked to a bunch of health problems, from skin rashes to leukemia.

#### UPROOTED

The threat of danger and disease is just one of the hardships of being a picker. As a migrant family follows the ripening crops, it's not unusual for them to live in several different places in one year. Rosa, 18, has been "moving around since I was a baby." She and her family do the West Coast route—picking in California from January to May, then traveling up to Washington to harvest berries and apples until November. Conditions in the camps where Rosa lives aren't as comfortable as the trailers Janie stayed in. When Rosa travels, she, her parents, and four siblings usually live in a van or in tents near the fields. Meals are cooked over a campfire. When the season's over, the family heads to Mexico for November and December.

This nomadic existence can totally mess up your academic life. When Rosa leaves California in May, she also has to leave school early. Come September, she's usually in Washington, meaning she has to start classes there. She misses six weeks of school when she's in Mexico, too. Every time she switches schools, she tries to catch up, but she still gets shoved in remedial classes. Plus her constant state of flux means that she's forever the new girl. "It's hard. I'm always crying on the first day of school," Rosa says. "I just sit in a corner, and after two weeks in one place, we move again." It can be a lonely life, and lots of migrant kids say

they'd rather stick to themselves than build relationships only to sever them. "I would like to have friends," says Rosa. "But it's hard to make them. And I can't do the kinds of things you do with friends because I don't have money."

Rosa hopes to graduate high school and become a nurse, but those gaps in her education mean she has missed out on more than a full social life. The director of her school's migrant program thinks Rosa will have a tough time making it to nursing school. Even so, it's not impossible for migrant teens to succeed. In spite of her stop-and-go schooling, Janie has managed to kick serious academic butt, acing her honors classes. After an essay that she'd written about being a migrant caught the eye of people at AFOP, Janie was selected to attend an International Labor Organization conference in Switzerland in June. Last spring she graduated from high school with a 4.0 GPA. She was set to go to Ohio State University—and then her scholarship fell through. Anxious to get on with her education, Janie enlisted in the army rather than wait to reapply for scholarships.

#### MONEY DOESN'T GROW ON TREES

If Janey is a success story among migrant teens, she's also an exception. A near majority of migrants—45 to 55 percent, says Mull—don't graduate from high school. "There are all these incentives for the kids not to stay in school," says Mull. "They have the disruption in the flow of education. Some parents want older kids to work full-time. [In Mexico, where many migrant families are from, it's not uncommon for kids to leave school at 15.] Once they [these kids] start earning money, the motivation is to make more money."

Cash was definitely on Rosalino's mind when he dropped out of school. Up until eighth grade, Rosalino, 18, lived and went to school in Mexico. After he and his family moved to Florida when he was 13, Rosalino quit school so he could help his family earn money. "During the winter I work in strawberry fields in Florida," he explains, sitting under a weeping willow tree at a migrant camp in Michigan. "In June my father and brothers and sisters drive two days to Michigan, where we pick until October." At the height of the season, Rosalino clears \$200 a week—most of which goes to his family. That money must tide them over during the slow winter months, when jobs are sparse. The average migrant farmer works only 26 weeks a year, and many can't collect unemployment during the off-season.

When Rosalino ponders his future, he hopes he'll be able to shake the mud off his boots and leave the fields. "I don't want to work on farms all my life," he says. In his pursuit of a better career, however, he's hindered by a host of handicaps. He doesn't speak English, though he's lived in the United States for six years, and he doesn't have too many skills under his belt other than fieldwork.

It's kids like Rosalino who worry children's advocates like California Representative Tom Lantos. The migrant life is usually a prison of poverty, Lantos says, and education is the key to unlocking that jail. "These children won't have any future 10, 20, 30 years from now if they are deprived of their education, if their total work experience is farm labor," says Lantos. "We must provide them with an education and an opportunity to develop their potential."

#### LABOR AGAINST LABOR

Unlike a lot of countries that turn a blind eye to child labor, the United States has

been cracking down on farmers who employ underage kids. But, say advocates like Lantos, to really keep children out of the fields, we must change the laws so that it's no longer legal for them to be there. Lantos recently proposed a Young American Workers' Bill of Rights, which aims to close the loopholes in child labor laws that make it legal for kids and young teens to work long hours in agriculture. Secretary of Labor Alexis M. Herman says she's also trying "to see how [current child labor laws] can be strengthened."

But banning child labor and actually stopping it from happening are two very different things. "We find children working in the fields in this country for many reasons besides a disregard for the law," says Secretary Herman. "We have to address the root causes—chronic poverty, lack of child care, underemployment." And the government is trying. The federal government funds Migrant Head Start and other education programs that give kids a place to go during the day while their parents pick, and provide them with a school away from school, so they can continue their studies when their families are on the road. President Clinton has allocated more cash for education programs as well as job training projects that give kids (and adults) alternatives to the fields. There have also been efforts to make parents aware of the dangers of farmwork and the importance of keeping kids in school.

Ultimately, though, migrant teens and their families will find it a rough road to hoe, says Mull. Major improvement in conditions would mean, among other things, paying adult pickers more so there would be less pressure to make kids work. But increasing wages could raise produce prices—and few consumers relish the idea of shelling out more money for a head of lettuce. Maybe if people understood the plight of migrant teens, they'd be willing to pay a few extra bucks a year to help, but, as Janie says, migrants are pretty much invisible to many Americans. "I've met people who are running the country who don't know about the migrant life," says Janie. "Most people don't even know we exist."

#### PERSONAL EXPLANATION

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, November 8, 1999*

Mr. UDALL of Colorado. Mr. Speaker, on November 4th, I was unavoidably detained from casting rollcall vote 569.

Had I been present, I would have voted "no" on rollcall vote 569.

#### HONORING OUR NATION'S VETERANS ON VETERANS' DAY

**HON. MARION BERRY**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, November 8, 1999*

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to the millions of Americans who served and sacrificed for our country in wars all over the world. This week we celebrate Veterans' Day in thousands of ceremonies

across America, including several in the 1st Congressional District of Arkansas which I was so proud to represent.

November 11 was originally the day commemorating the 1918 armistice that ended World War I. The original Armistice Day celebrated the signing of the armistice between the Allies and the Central Powers at the 11th hour of the 11th day of the 11th month. The first commemorative ceremony was held when an American soldier was buried in the Arlington National Cemetery at the same time as a British soldier was buried in Westminster Abbey and a French soldier was buried at the Arc de Triomphe. In 1954, following World War II and the Korean Conflict, Armistice Day became known as Veterans Day. Realizing that peace was equally preserved by veterans of WW II and Korea, Congress was requested to make this day an occasion to honor those who have served America in all wars.

Many times we have asked our veterans to put their lives on hold, to leave their families to serve their country and protect our freedoms. Because of their strength and courage, all Americans enjoy the ideals of democracy.

On Veterans Day, it is important to remember that our Nation owes a commitment to our veterans every day of the year. We salute the millions of Americans who, because of their courage, have given us the freedom that we all enjoy. These heroes sacrificed for love of country, not only answering the call of our flag, but also honoring its meaning. Veterans' Day is a time for all Americans to remember their extraordinary commitment that has made our country the greatest nation that has ever been.

On this Veterans Day, we should all express our sincere thanks to our fellow Americans who valiantly served abroad in the U.S. Armed Forces. We should all reflect on the pride we share in the men and women who have kept our Nation free and strong.

#### DECEPTIVE MAIL PREVENTION AND ENFORCEMENT ACT

SPEECH OF

**HON. DANNY K. DAVIS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 2, 1999*

Mr. DAVIS of Illinois. Mr. Speaker, I am proud to have played a part in the House consideration and markup of the Honesty in Sweepstakes Act of 1999. Last month, the Subcommittee on the Postal Service marked up H.R. 170, and unanimously approved an amendment in the nature of a substitute offered by the ranking minority member congressman FATTAH and chairman MCHUGH. Our bill which closely mirrors sweepstakes legislation passed by the Senate in August would:

Impose disclosure requirements relating to sweepstakes mailings and skills contests (contests in which a prize is awarded based on skill, and a purchase, payment, or donation is required) concerning rules, terms, conditions, sponsor, place of business of sponsor, odds of winning, and other information to help ensure the consumer has complete information about the contest;