first lien residential mortgage loans that are acquired by bona fide loan servicers, not professional debt collectors. It would exempt them only from the ‘Miranda’ notice and the dept validation provisions of the FDCPA.

Importantly, all of the substantive protections under the FDCPA would continue to apply to any loan as to which the servicer is not exempt as a creditor. These provisions will allow residential mortgage loan servicers to treat the few loans subject to the FDCPA in the same way they treat all other loans and will thus reduce unnecessary administrative costs incurred identifying and separately handling these accounts. In addition, once a servicer is considered a “debtor collector” under the FDCPA, the borrower would have a right to request a “validation statement”—a statement of the amount necessary to bring the loan current and to pay off the loan in full as of a particular date.

I think it is also important to note that this proposed legislative clarification has the full support of the Federal Trade Commission, the agency with enforcement jurisdiction over the FDCPA. As a matter of fact, the FTC has consistently gone on record in its Annual Report to Congress as supporting legislative clarification in this area. The FTC’s 21st Annual Report to Congress provides as follows:

Section 803 (6) of the FDCPA sets forth a number of specific exemptions from the law, one of which is collection activity by a party that “concerns a debt which was not in default at the time it was obtained by such a person.” The exemption was designed to avoid application of the FDCPA to mortgage servicing companies, whose business is accepting and recording payments on current debts. (March 19, 1999 Report)

The report then goes on to make specific recommendations to Congress:

The Commission believes that Section 803 (6)(F)(iii) was designed to exempt only businesses, whose collection of delinquent debts is conducted by the party to be exempted rather than the status of individual obligations when the party obtained them. I am pleased that several of my colleagues on the House Banking and Financial Services Committee, namely Reps. Jack Metcalfe (WA) and Walter Jones (NC), are also sponsoring this issue in both Committee and on the House.

The Commission recommends that Congress amend this exemption so that its applicability will depend upon the nature of the overall business conducted by the party to be exempted rather than the status of individual obligations when the party obtained them. I am pleased that several of my colleagues on the House Banking and Financial Services Committee, namely Reps. Jack Metcalfe (WA) and Walter Jones (NC), are also sponsoring this issue in both Committee and on the House.

**IN MEMORY OF WILLIE J. COTTON, JR.**

HON. BOB ETHERIDGE OF NORTH CAROLINA IN THE HOUSE OF REPRESENTATIVES Thursday, November 18, 1999

Mr. ETHERIDGE. Mr. Speaker, I rise today in honor of the grandfather of Bailey Cotton, Seth Cotton, Emma Cotton, Justin Sloan, Matthew Evans and Leslie Evans; the father of Betty Evans, June Sloan and Dwight Cotton and the husband of Ida Marie Cotton, I rise in honor of Mr. Willie J. Cotton, Jr. who passed away on October 27.

Mr. Cotton was a native of Harnett County, North Carolina. He was a past county commissioner and served Harnett County in office for 12 years. Mr. Cotton served our country in World War II and was a lifelong member of Kipling United Methodist Church.

As North Carolina’s former Superintendent of public education, I know what a battle it is to build quality schools for our children. Improving schools for our children is my life’s work. Mr. Cotton took this battle on as a county commissioner to build better schools in Harnett County. There aren’t many times that a person in public service takes a stand for the good of future generations that can cost them their children.

That is why, Mr. Speaker, I stand here today. To honor Mr. Cotton and to pay my respects to his family and my debt of gratitude. We have lost a great man, and I am proud to continue his fight for better schools for our children.

**THE SMALL BUSINESS FRANCHISE ACT**

HON. HOWARD P. “BUCK” McKEON OF CALIFORNIA IN THE HOUSE OF REPRESENTATIVES Thursday, November 18, 1999

Mr. McKEON. Mr. Speaker, I am a recent cosponsor of H.R. 3308, the Small Business Franchise Act introduced by Representative HOWARD COBLE. Today, I include for the RECORD testimony from a recent Judiciary Commercial and Administrative Law Subcommittee hearing on this legislation. During this hearing a franchise owner and patron, Patrick Leddy, testified about his dealings as a franchise owner. Because of his very moving testimony, I became a cosponsor of this legislation. I wish to thank him for his words and include them in the RECORD today.

STATEMENT OF PATRICK JAMES LEDDY, JR.

My name is Patrick James Leddy Jr. I have owned and operated a Baskin-Robbins 31 Flavors franchise in Newhall, California since August 1, 1985. On April 1997, and pursuant to an internal policy of Baskin-Robbins, which is not binding on Baskin-Robbins, and which is rarely followed by the company, I submitted to my district manager a proposal to this Baskin-Robbins proposed new location. He assured me that he would notify me of any developments as they occur, and that we would be notified promptly, once a determination had been made.

In June of 1997, after several unsuccessful attempts to learn whether Baskin-Robbins would proceed with the new store construction plan, I called our district manager and explained to him that we needed immediate information on what the company intends to do about this new site, because we have had several prospective buyers for our store that were disinterested once we disclosed to them Baskin-Robbins’ plans. The Baskin-Robbins representative advised us to obtain the information about the new store to our prospective buyers.

In July of 1997, our local neighborhood newspaper published a public notice of the new Baskin-Robbins would be open two miles from our store. We were shocked. Two days after this news story appeared, and after numerous telephone calls to Baskin-Robbins on our part, we finally received official notification from Baskin-Robbins about the new store.

We later learned that Baskin-Robbins signed the lease for this new store on May 13, 1997. On August 5, 1997, after the underhandedness that we had felt from Baskin-Robbins, my wife and I decided that in our best interest we should retain legal representation to help us resolve the matter with Baskin-Robbins.

To our surprise the representative from Baskin-Robbins called our district manager and explained to him that new store would have on our existing store. To our surprise the representative from Baskin-Robbins called our district manager and explained to him that new store would have on our existing store.

In February of 1997, three months after no-franchisees, when in the past, we had always
November 19, 1999

EXTENSIONS OF REMARKS

31247

HON. TOM LANTOS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 18, 1999

Mr. LANTOS. Mr. Speaker, Arthur Szyk is considered by many scholars to be the greatest illuminator who worked in the twentieth century in the style of sixteenth-century miniaturist painters. The Times of London described his Haggadah as "worthy to be placed among the most beautiful of books that the hand of man has produced." He is indeed one of the most remarkable and talented artists of this century. Arthur Szyk's works on George Washington and the American Revolution hung in the White House during the administration of Franklin Delano Roosevelt, and these works are now on display at the Roosevelt Presidential Library at Hyde Park, New York. In recognition of his talent and commitment, the U.S. Congress presented Arthur Szyk the George Washington Bicentennial Medal in 1934.

Mr. Speaker, Arthur Szyk was not just an artist, he was an artist with a point of view, and he used his art to speak out for freedom and democratic values. He was the leading political artist in America during World War II, and he wielded his pen and his brush as a sword in the fight against Nazi Germany and Imperial Japan. During the war, his caricatures and cartoons appeared on the front covers of many of America's leading magazines—Colliers, Esquire, Time—where his graphic political editorializations and brilliant parodies lampooned the Nazi and Axis leaders. His art seethed with mockery and scorn for the Fascist dictators. First Lady Eleanor Roosevelt called Szyk a "one-man army against Hitler." As Szyk himself said, "Art is not my aim, it is my means."

In addition to his art advancing the fight against Germany and Japan, he used his art to attack racism, bigotry and inhumanity at all levels. He sought to close the gaps between Blacks and Whites, between Jews and non-Jews. He defended the rights of the soldier, and he expressed sympathy and compassion for the victims and refugees of war-born Europe.

Mr. Speaker, Arthur Szyk was born in Lodz Poland in 1894. He came to the United States in 1940 sent here by the Polish government-in-exile and by the government of Great Britain with a mission to bring the face of the war in Europe to the American public. That he did with great skill and vision. He remained in the United States, became an American citizen, and died in New York City in 1951.

Mr. Speaker, I wish to call the attention of my colleagues to an excellent exhibit of the work of Arthur Szyk which will open in just a few days. The exhibit "Arthur Szyk: Artist for Freedom" will be on display in the Swann Gallery of the Jefferson Building of the Library of Congress from December 9, 1999 through May 6, 2000. I urge my colleagues to visit this exhibit, which is literally across the street from this Chamber. Arthur Szyk is one of the great artists of this century, and his art not only reflected and helped to define a critical period in the history of our nation, his art also helped to rally Americans in the fight for freedom and against brutal tyranny during World War II.

TRIBUTE TO RALPH "POP" STRICKLIN

HON. MARION BERRY
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 18, 1999

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to a true friend and truly great Arkansas, Ralph "Pop" Stricklin.

Pop, who celebrated his 80th birthday last month, has helped make Jonesboro, Arkansas, the great place that it is today. When he wasn't working in the electric and refrigeration business, a career he began in 1936, Pop served his country and his community in so many ways. He served his country in the U.S. Army from 1941–46. For 36 years, he served as the Alderman of Jonesboro, working under five mayors. He also worked with the Fair Board for 15 years and was a valued and faithful employee to Arkansas State University for 20 years.

Pop is a VFW life member, DAV life member, a member of the American Legion; the Boy Scouts; Salvation Army Board; the Elks; Kiwanis, where he has had 36 years of perfect attendance; a board member of the First Methodist Church; and a member of the Jaycees "Old Rooster, after 35 age group," to name a few. He has also served on several committees including the police, street, parks, fire, cemetery, animal control, planning and inspection, electrical examining board, and other committees where he made a difference and always contributed to the city of Jonesboro and the state of Arkansas. Pop has received the key to the city of Jonesboro and has a day named after him because of his work.

He has also worked to improve the lives of young people as an active member of the male-youth organization Order of DeMolays, where he was "State DeMolay Dad," or "Pop" as we now call him.