

serious attacks are made almost casually, without any claim or relevance to any public purpose.

In fact, even a preliminary investigation would have revealed that the so-called "reliable source," Richard Lucas, never met with Mr. Palladino or discussed with him any of the facts or issues concerning this matter. Further, an investigation would also have shown that I had no personal involvement with the activity criticized in the report.

2. The report repeatedly relies on a witness who lacks credibility. Many assertions in the report—including many of the most misleading, erroneous or otherwise objectionable assertions—are cited only to Mr. Lucas. E.g., notes 799, 806, 814, 822-24. Mr. Lucas is not a credible witness for several reasons: much of his story to the Committee is contradicted by his own sworn affidavit; he is apparently engaged in a legal dispute with one of the Committee's other witnesses and thus has an incentive to blame that witness for his own conduct; and he committed a conscious and intentional breach of his contractual and ethical obligations to the Steel Hector & Davis law firm. After having been retained by the law firm, he entered into a relationship with individuals hostile to the firm and the interests of its clients, and repeatedly breached his ethical and contractual obligations by secretly and systematically providing the opposing side in a litigation matter confidential information about the law firm's and client's activities.

A further sign that Mr. Lucas is simply not reliable is that he authored several memoranda under a pseudonym, "Michael Wilson." The report never discloses that fact. The report also frequently relies on these memoranda, without any other corroborating evidence. E.g., notes 831, 832, 837. That Mr. Lucas felt compelled to write memoranda under a pseudonym, in a complete departure from ordinary business practice, seriously undermines his credibility and shows that Mr. Lucas understood there was something about his conduct that needed to be hidden. Moreover, the memoranda themselves demonstrate that Mr. Lucas was violating his contractual and ethical duties to the Steel Hector & Davis law firm, and thus are independently not worthy of belief.

Significantly, the report itself accuses Mr. Lucas of criminal misconduct. E.g., p. 168.

3. The report contains sensational charges that it fails to support. The report's headings repeatedly charge individuals or organizations with illegal acts. E.g., p. 162 ("Soka Gakkai Illegally Obtains Information on Nobuo Abe Through Jack Palladino"); p. 163 ("Poston Requests Her Private Investigators To Break The Law"). Those inflammatory headings are not supported by the text. For example, the passage about Mr. Palladino is modified by the word "apparently," and it is sourced only to Mr. Lucas, the tainted witness; as the report concedes in the very next footnote, it did not even bother to discuss this allegation with Mr. Palladino. Mr. Palladino has publicly stated that he had nothing to do with illegally obtaining any information about Nobuo Abe and had no involvement with obtaining information from any federal source whatsoever. Similarly, Ms. Poston testified that she at no time asked her investigators to break the law.

4. The report lends unmerited credibility to mere speculation. The report seeks to suggest that an employee of the Bureau of Prisons "planted" a fabricated record in the NCIC involving an arrest in Seattle in 1963. The report recognizes this as "speculation," and attributes it to some unnamed "individ-

uals involved in the case," p. 162. There is no evidence to support this speculative theory, and again the staff failed to perform any of the investigative work—such as interviewing knowledgeable law enforcement officials from the Seattle area—that would have helped clarify these facts. The report's careless presentation of the speculation may be injurious to the parties to the lawsuit in Japan—a lawsuit that, once again, the report specifically acknowledges, p. 161.

I ask that the report be corrected in light of this information, or, at a minimum, that this letter be made part of any final report issued by the Committee.

Yours very truly,

BARRY B. LANGBERG.

TRIBUTE TO CHAIRMAN JOHN HICKS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. GILMAN. Mr. Speaker, I am honored to pay tribute to a remarkable constituent who has dedicated his life to serving others.

John S. Hicks, an attorney in my Congressional District whose offices are located in Chester, New York, has been Chairman of the Republican County Committee of Orange County, NY, since 1995. In that capacity, he has diligently worked to build a strong two party system in our country. John never lost sight of the fact that his only motivation for politics is good government.

John encouraged delivering the Republican message by providing a full time Republican Party Headquarters, and by publishing a supplement to our local daily newspaper which he entitled "The Eagle" and which has been an effective vehicle to publicize the principles of our party and the activities of our candidates.

John Hicks, who is a native of Fayetteville, North Carolina, has been a resident of Warwick, NY since he was five years old. A product of the public school system of Warwick, and a graduate of Colgate University and Albany Law School, he has been engaged in the practice of law since 1977.

In 1964, John registered to vote as a Republican at the age of 21, and maintained his dedication to Republican policies during and after his three year stint in the Army during the Vietnam era.

John is a Member of the American, New York and Orange County Bar Associations. He is active with the National Federation of Independent Businesses, the U.S. and the Orange County Chambers of Commerce. He is also active in Warwick's Rotary, the Warwick Community Bandwagon, and the Orange County Citizens Foundation. John also serves on the Board of Directors of the Orange County United Way and the Arden Hill Hospital, and is a life member of the American Legion.

John and his lovely wife, Judy, are the proud parents of Michael (a West Point graduate), Deanna, Stephanie, Mark, Lisa and Jeffrey.

On Feb. 2, 2001, the Town of Newburgh Republican Committee at their annual Lincoln Day Dinner will honor John as their designee as the "Republican of the Year". Their rec-

ognition is long overdue, for John Hicks has long personified the ideal of political work as a public trust.

Mr. Speaker, I invite our colleagues to join with me in congratulating John S. Hicks, Esq., for this honor and for a job well done.

GEORGIA REGULATOR TO LEAD INVESTIGATION INTO INSURER'S RATES FOR BLACK CUSTOMERS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. CONYERS. Mr. Speaker, today I wish to commend John W. Oxendine, Georgia Insurance Commissioner who will pursue to multistate investigation of Life Insurance Co. of Georgia, which if proven true, represents a very serious matter, and subsequently needs to be dealt with. African-Americans make up a large percentage of the company's policyholders. Evidence gathered by state examiners showed the Atlanta company, a unit of Dutch INC Group NV, continued at least until recently, to charge African-Americans higher rates than whites on identical policies sold as late as the 1980's. Historically, records have shown that through the first half of the century, U.S. life insurers typically either didn't market to African-Americans or charged them higher rates based on mortality tables that showed a shorter life expectancy for African-Americans. The discriminatory treatment however, was through to have been scrapped in the early 1960's, because of U.S. Supreme Court rulings and the impact of the civil rights movement.

I submit the following article from the Wall Street Journal.

[From the Wall Street Journal Dec. 15, 2000]
GEORGIA REGULATORY TO LEAD INVESTIGATION INTO INSURER'S RATES FOR BLACK CUSTOMERS
(By Scot J. Paltrow)

Georgia's insurance department said it will lead a multistate investigation of Life Insurance Co. of Georgia, after initial inquiries showed the company systematically had charged higher, race-based premiums to African-American customers.

Georgia Insurance Commissioner John W. Oxendine said [evidence gathered by state examiners showed the Atlanta company, a unit of Duth ING Group NV, continued at least until recently to charge blacks higher rates than whites on identical policies sold as late as the 1980s.]

Life of Georgia was one of the companies cited in a Wall Street Journal page-one story in April, which reported that some life insurers had continued to charge higher premiums to African-Americans on small policies formally known as "industrial insurance." A former Life of Georgia actuary was quoted as saying discrimination premiums continued to be charged by the company well after most other insurers had halted the practice in the 1960s. Florida regulators earlier this year initiated the inquiry into Life of Georgia as well as more than 25 other companies. A lawsuit on behalf of black policyholders is pending against Life of Georgia in federal court in Florida.

Life of Georgia has strongly denied the allegations. Officials at Life of Georgia, at