

has been both incomplete and even inaccurate.

Moreover, results from past studies have only raised more questions about possible negative effects that ruptured or leaking silicone breast implants may have on breast milk, connective tissue, autoimmune diseases and the accuracy of breast cancer screening tests.

Our legislation ultimately seeks to change this by focusing on three critical points—information, research, and communication.

First, and in my opinion most importantly, this bill will ensure that information sent to women about silicone breast implants contains the most up to date and accurate information available.

Current information packets sent to women do not accurately describe some of the potential risks of silicone breast implants. While recent studies by the Institute of Medicine indicate the rupture rate may be as high as 70 percent, information sent to women suggests the rupture rate is only 1 percent.

Second, this bill encourages the director of the National Institutes of Health to expand existing research projects and clinical trials. Doing so will compliment past and existing studies and will hopefully clear up much of the confusion surrounding the safety and efficacy of silicone breast implants.

Finally, this bill establishes an open line of communication between federal agencies, researchers, the public health community and patient and breast cancer advocates.

Women, especially breast cancer patients, want and deserve full and open access to silicone breast implants. Therefore, it is critical that these products are safe and effective, and that women are provided complete and frequently updated information about the health risks and benefits of silicone breast implants.

While I unequivocally support a woman's right to choose to use silicone breast implants, I believe we have a responsibility to support research efforts that will provide the maximum amount of information and understanding about these products. I hope each of you join me in support of this important legislation.

TRIBUTE TO FOOTHILL PARENT TEACHER ASSOCIATION

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. CALVERT. Mr. Speaker, one of the things that makes America great is the dedication and commitment of many individuals throughout our country who participate in organizations to promote the well being of their community. The Foothill Parent Teacher Association is one of those commendable organizations.

The Foothill PTA represents Foothill Elementary School located in Corona, California. In order to provide an environment of quality programs and a high level of parental involvement, the Home-School Communications project was implemented. One of the purposes of this program is to provide weekly communication between home and school. Once a week each student is sent home with a packet of information, which the parent signs off on when received, allowing continual communication between home and school. The Foothill

PTA also sends out a newsletter every month, which includes a calendar of upcoming events and encourages parents and students to participate. Finally, the program offers up-to-date information to all parents by providing a 24-hour PTA Information Hot Line and a PTA web page on the Internet. It is important to acknowledge that the Home-School Communications project would not be possible without the volunteers who actively participate in the PTA.

This outstanding program should be applauded for the positive results it has brought to Foothill Elementary School. Since the commencement of the Home-School Communications project there has been an overall increase in parental involvement in school activities. There has been 99 percent participation at parent-teacher conferences and an increase of 110 percent in PTA membership, and it has brought a sense of togetherness and satisfaction to the parents, teachers, and office staff. There also has been an increase in attendance at school events, including the Halloween Carnival and the First Annual Reflections Awards Night.

All this effort and dedication by the members of the PTA has not gone unrecognized. The Foothill PTA received the California State PTA Advocates for Children Award in 1995 and the Outstanding Unit for California and Creative Membership Awards in 1997. In 1998, the Foothill PTA won Outstanding Unit for California and National PTA Outstanding Unit. Also, the Foothill PTA has been recognized as an Outstanding Unit at the council level for the last 4 years.

I want to thank the Foothill PTA for all their hard work and dedication to the children in our community. I am proud to have an organization like the Foothill PTA in my district. I encourage Foothill PTA members to continue with their involvement and wish them the best in their future endeavors.

TRIBUTE TO SISTER JOHN NORTON BARRETT, O.P.

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. SHAW. Mr. Speaker, I rise today with great pleasure to honor Sister John Norton Barrett, who is celebrating her 50th anniversary as an Adrian Dominican sister.

Through her faith, dedication and service, Sister John Norton has become one of the pillars of South Florida. She is widely recognized in our community for her dedication to excellence and her achievements in education.

In 1948, when Sister John Norton entered the Adrian Dominican Congregation, she had a heartfelt passion to serve the Church and the community through education. She graduated from Siena Heights College and later continued her studies at Barry University where she received a Master's Degree in Administration and Supervision.

She began her teaching at St. Mary's Elementary School in 1949 and by 1957 was principal of St. Matthew's School in Jacksonville. In 1963, she moved down to Miami Beach as principal of St. Patrick's High School.

In 1966 Sister John Norton joined the faculty of St. Thomas Aquinas High School. She

served at St. Thomas for over thirty years as mathematics teacher, vice principal and principal. After her retirement, she continued her work for St. Thomas as director of the Development Office. Her tireless efforts and strong leadership have made St. Thomas Aquinas High School one of the top Catholic schools in the nation. The many awards and achievements for St. Thomas include the U.S. Department of Education Exemplary School Award as a Blue Ribbon School of Excellence for both 1985 and 1996. This year, alone, the high school boasts 21 National Merit Semifinalists and 26 Commended Students.

One of Sister John's most significant contributions to our community was the establishment of a community service program for St. Thomas Aquinas' students. This program, with the enthusiastic support of the students, requires that students dedicate 20 hours of service to needs in our community. As a result of this program, tens of thousands of service hours are given to the Broward County community each year.

Personally, Sister John Norton has been awarded the Primus Regnum Dei Ward from the Archdiocese of Miami in honor of her devoted service to the Lord and his Church. She has also received the Silver Medallion Brotherhood Award from the National Conference of Christians and Jews for her efforts in encouraging good human relations among all people.

Mr. Speaker, throughout the United States there are unfortunately too few individuals who dedicate their lives to education and community service. For fifty years, Sister John Norton has worked tirelessly for these causes, and we in South Florida are truly grateful. I am sure I speak for all my colleagues in congratulating Sister John Norton Barrett as she celebrates her golden jubilee as an Adrian Dominican sister.

INDEPENDENT COUNSEL STARR ADDRESSES THE MECKLENBERG COUNTY BAR ASSOCIATION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. CONYERS. Mr. Speaker, I enter into the RECORD the following transcript of a speech made by Independent Counsel Kenneth Starr to the Mecklenberg County Bar Association in Charlotte, NC on June 1, 1998.

REMARKS BY WHITEWATER INDEPENDENT COUNSEL KENNETH STARR AT MECKLENBURG BAR FOUNDATION, CHARLOTTE, NORTH CAROLINA

Mr. STARR: Thank you very much. Thank you, Bill. It is a great pleasure to be here among a number of friends and new friends, in this great and very dynamic city, building upon a rich tradition of wonderful lawyers, some of whom have graced the leading courts in the country, including the Supreme Court of the United States. So thank you for your very kind invitation.

And let me also say at the outset how grateful I am to the sponsors for directing the very generous gift to the Burger Library Project at the College of William and Mary. I was privileged to serve as a law clerk to the late chief justice, and this, as you might imagine, for those who have been privileged to serve as law clerks for federal judges, is a labor of love when one is given the opportunity to be supportive in some way or another of a project that one knows that—as

law clerks like to refer to their judge as either "the judge" or "the boss"—that the boss would say, "That is a good thing, and I'm very grateful." So I am very grateful to you.

Let me also say that in light of the comment about Arthur Miller—how many wives was that?—(laughter)—thankfully, I'm about to celebrate my 28th wedding anniversary. I was thinking about the dog. (Soft laughter.) The dog bit Arthur?

Ms. : Mmm-hmm. (Affirmative.)

Mr. STARR: Now I have argued against Arthur and with Professor Miller, and he's a very distinguished advocate and so forth. But I have a solution. Not only do I have the same wife for the last 20—almost—8 years; we've also had a limited number of dogs. (laughter.) And I've got a dog for Professor Miller—(laughter)—who is a dropout from obedience school. (Laughter.) No Phi Beta Kappa, he.

Thank you again for your hospitality.

Several days ago the nation was once again shocked when a 15-year-old boy walked into a school in a little community in Oregon, of all places, Springfield by name, and opened fire—I should quickly say "allegedly."

One can only wonder what lies behind this horror. The pundits are already thinking and commenting. Some may say it's easy access to guns. Some say it's the culture of violence in the mass media, on television and our movies. Others say it's parental failure, breakdown of families, parental responsibility and the like. But it seems to me that when we gather together as a legal community, we cannot lose sight of the broader cultural backdrop, and to look at these unspeakable tragedies of life against that backdrop.

A very thoughtful person, Professor Steven Carter of the Yale Law School, has recently written yet another thoughtful book entitled simply, "Civility". And in this book—perhaps you have seen it; it's, again, as his books tend to do—gathering a lot of attention, and rightly so, he discussed what he calls the de-civilization of American society. Professor Carter characterizes civility, a term that is very familiar to the legal profession, in a very intriguing way. He says, "It's the sum of the sacrifices that each of us as individuals make in order to live as part of organized society." The sum of our individual sacrifices.

Now, Professor Carter suggests, rather unhappily, that Americans are losing their sense, as a people, of civility. While individualism, and indeed, rugged individualism is a long and cherished tradition in American society, Professor Carter is seeing something different. Nothing wrong with being individualistic and asserting individual autonomy, but he says there is a cultural difference. His thesis is that, increasingly, Americans see themselves traveling through their lifetime journeys alone. Many believe that—again, Professor Carter's thesis—they should be able to act in a self-centered, egocentric, selfish way, and indeed, to act in whatever manner suits their interests, as they determine it at the time, regardless of the effect that it may have on others.

This callous disregard for civility, that sum of self-sacrifice, Professor Carter argues is threatening to this society. In his view, it threatens our very safety, but even more than that it threatens our political foundations, our democratic way of life.

Many observers believe that the legal profession, notwithstanding its greatness and its traditions, has likewise not been immune from this disease of selfishness. Justice O'Connor put it this way: she said, "Many lawyers appear to have forgotten the integrity and civility—" notice her marriage of the two, integrity and civility—"that once

distinguished our profession." She used the term "many lawyers," not all. Many seem to have forgotten these twin pillars of integrity and civility.

A striking example of what is said all too frequently, namely the low public esteem of the profession, is the fact that notwithstanding that 25—count them—of our 42 presidents has been lawyers, and some are icons. Think of them. Mr. Jefferson; Mr. Madison; Mr. Lincoln. Lawyers, and successful lawyers; practicing lawyers, lawyers who knew courtrooms, knew how to try cases.

Notwithstanding that storied past, one of the candidates in the Washington, DC, mayoral primary is campaigning on this: "Vote for me because I am NOT a lawyer." Now that's in Washington, DC. Makes one wonder. Times have changed. It was 150 years ago, not too terribly far from here, that one of the great courtroom lawyers of his day, Daniel Webster, had this boast: "Show me a man who is dishonest, and I will tell you, he is not a lawyer." We would say, "He or she is not a lawyer."

The lawyer of yesteryear was seen as a person who upheld the law and who stood steadfast against recklessness, against tyranny, and indeed against prejudice. As recently as 1960, which some of us do remember, a Southern novelist named Harper Lee wrote a little story. She expanded on what had been a short story, and you know it. She created this marvelous character, a lawyer named Atticus Finch, in "To Kill a Mockingbird."

Atticus Finch strove to find the truth while defending a black man who was wrongly accused of rape in a segregated community. The hatred that was directed against the innocent defendant even sparked a lynch mob, and Atticus had to stand and control that mob. And in acting in the story very bravely in the pursuit of truth, Atticus taught his children, through whose eyes we saw the story unfold; the town itself; and now countless Americans, including schoolchildren who across the country happily read this story; some have only seen the movie. But whether one has seen the movie and Gregory Peck or, hopefully, have read the book, have learned important lessons that a lawyer taught about justice, about basic human decency, about tolerance. Now in contrast to this very noble and trustworthy soul, today's popular culture portrays lawyers as greedy and unethical people who will cheerfully hawk their services—and, indeed, their very morals—to the highest bidder.

Whether it is the character Bruiser in John Grisham's novel, also a movie, "The Rainmaker" or Al Pacino in last year's movie "Devil's Advocate," popular culture now sees lawyers as anything but seekers of truth and justice. No Atticus Finches in the movies.

Today's fictional lawyer will do anything for the client. No longer is he or she portrayed as being accountable to society as a whole for the authority, responsibility, and indeed power, that the lawyer is able to wield through the justice system. Now many of us, and certainly many here in this room, question profoundly whether this portrayal of modern day is fair, because each of us, I am confident, knows a great many lawyers out there who fall much more on the spectrum of Atticus Finch than they do to Bruiser.

But we still have to concede that the profession has changed, and we face a host—we all know them—of both economic and structural issues quite familiar to everyone in the room. But now to speak personally, one of these issues has been as baleful to our profession as its apparent loss of respect for truth. Too many of today's lawyers take Mark Twain's old aphorism very much to heart. As Mr. Clemens said, "Truth is the most valuable thing that we have, so let's economize with it." (Laughter.)

Not Atticus Finch. Mr. Finch embodied two of the most important, and indeed noble, values of our system, loyalty to the client and yet respect for truth. For Atticus, these two values were not in conflict. The quest for the truth was very decidedly in his innocent client's best interest. What happens when those values do conflict?

When a search for the truth is not in the client's interest, which value should guide the lawyer's conduct? Lawyers have faced this question for some time, indeed I would say for generations. But the balance that the modern-day profession strikes appears to me to have changed.

As a great lawyer practicing in Boston, Justice Louis Brandeis, one of the most creative lawyers of our century, sided unapologetically with the search for the truth. Before becoming a Supreme Court justice, he consistently lifted up and sought assiduously to follow this credo: Advise a client what he should have, not what he wants. It sounds so odd to many ears, now.

Now, skip ahead a generation and Charles Curtis, a lawyer, very successful, in Boston, declaring a generation after the Brandeisian credo, quote, "One of the functions of the lawyer is to lie for his client." The Brandeis-Curtis debate, as it were, even though they were never on the same platform, continues to rage today among practitioners and scholars alike. But the modern day image of the lawyer is the Spielbergian image, if you will, of lawyers as hired guns, suggests that at least a good many lawyers have given the appearance, at a minimum, and perhaps have decided to pay less than scrupulous regard for the truth, the truth.

Now this choice, to the extent it is being made each day, is most unfortunate. It goes to the basic moral foundation of our system. Truth indeed is intended to be the primary goal of our judicial system, because without truth as a foundation, justice cannot predictably be achieved. Our rules of evidence and of procedure demonstrate this. And after all, at a very basic level that all of us as citizens understand, witnesses are not directed, "Tell whatever is in your interest. Be creative, be imaginative." Now, they are sworn to tell, in these wonderful words, "The truth, the whole truth, and nothing but the truth."

Countless judicial opinions have reaffirmed this, "this" being it is the truth and not the service of clients, is the legal system's abiding value. One of the more famous examples that I followed rather closely was a decision from just a decade ago, in a case called *Mix (ph)* against Whiteside. The defendant in that case was a gentleman by the name of Whiteside, and he indicated to his attorney that he intended to commit perjury on the stand, thought it might go better for him if he did.

The attorney, quite properly, threatened to withdraw from the representation, and in effect, he prevented Mr. Whiteside from getting on the stand and lying. Now, Whiteside was convicted. Beyond a reasonable doubt is a difficult standard, but the jury found it, and so he's on appeal, and he says, among other things, "I was deprived of the effective assistance of counsel within the meaning of the Sixth Amendment because my lawyer declined to allow me to lie on the stand." Speaking for the nation's highest court, and overturning the court of appeals that had accepted the argument—

Mr. STARR: Thank you—(laughter)—Chief Justice Burger, for whom again, I was privileged to clerk long before this opinion was written, very forcefully disagreed. And I know it's not polite to read from opinions whether you're arguing a case or especially subjecting you to an after-luncheon address, but these words are so powerful and simple and they are brief: "We recognize counsel's

duty of loyalty and the overarching duty to advocate the defendant's cause. But it is manifest that that duty is limited to legitimate, lawful conduct by the attorney compatible with the very nature of a trial as a search for the truth."

The chief justice continued, "The responsibility of an ethical lawyer as an officer of the court—what a ring to it, an officer of the court—"dedicated to a search for the truth is essentially the same whether the client intends to commit perjury or to bribe witnesses. A lawyer simply cannot allow the client to commit a fraud on the court."

His final words: "The suggestion sometimes made that a lawyer must, quote, 'believe his or her client and not judge him' in no sense means that a lawyer can honorably be a party to presenting known perjury."

Now to many of us—(inaudible)—the Whiteside seemed like an easy case, and the result there was, you'll be pleased to know, 9-0, against Mr. Whiteside. (Laughs.) Perhaps the more difficult question that lawyers face day in and day out is at what point does a lawyer's manipulation of the legal system become an obstruction of truth?

That issue raises tricky, difficult questions, and I think that the answers are found in the position recently advocated by a professor at the Yale Law School, Akhil Reed Amar. "Our adversary system," Professor Amar has very convincingly, to my mind, argued, "is not an end, but a means to an end. Pleadings, discovery, and the examination of witnesses are not the goals, they are only tools to be employed in a moral enterprise—the search for truth." Anthony Kronman, who is dean of the Yale Law School, has expanded on this idea in his very troubling book about our profession called, "The Lost Lawyer." As Dean Kronman observes, "The good lawyer is not only an advocate, but he or she is also a counselor. A good lawyer, acting as advocate in court, must use arguments to convince others—juries, judges—of the strength of the client's position. And that good lawyer, or other lawyers, acting as counselor, must urge the client against steps that are likely to impede the quest for truth, steps that, as most experienced lawyers and judges will say, will be recognized by juries for what they are."

This vision, by Dean Kronman of Yale, of the virtuous lawyer, rather than the "lost" lawyer, has particular resonance when we talk not about the lawyer for an individual or the lawyer for a private corporation, but when we're speaking about a lawyer for the government, a lawyer for the people, whether it's a prosecutor or some other government lawyer. That public servant lawyer owes a duty not to any individual, but to the people as a whole.

Surprisingly, the basic proposition, grounded in history, tradition and common morality, is the subject to controversy as we speak. But the principle has been resoundingly reaffirmed by two federal courts in the last year. The courts have considered whether the evidentiary privileges that are available to private lawyers are also available to government lawyers paid, as Bill was emphasizing, at taxpayer expense.

The 8th Circuit Court of Appeals in St. Louis, last year, flatly rejected the argument, and it did so in fairly emphatic language, which again I would like to share to you. It's very brief: "The strong public interest in honest government and in exposing wrongdoing by public officials would be ill served by recognition of a governmental attorney-client privilege applicable in criminal proceedings inquiring into the actions of public officials."

The court went on: "We also believe that to allow any part of the federal government to use its in-house attorneys as a shield

against the production of information relevant to a federal criminal investigation would represent a gross misuse of public assets." Strong words.

Just a few weeks ago, these principles were emphasized and reaffirmed by the distinguished chief judge for the United States District Court in Washington. She is Judge Norma Hollaway Johnson. She wrote, "A private organization, such as a corporation, and a government institution differ significantly especially in the criminal context." And she emphasized, "Government attorneys are paid by U.S. taxpayers." And she quoted the 8th Circuit's very pointed observations about the duties of the public lawyer, the government lawyer.

These principles aren't new, nor should they be in the slightest bit controversial. They should admit of universal approbation. As District Judge Jack Weinstein (sp) stated some 30 years ago, "If there is wrongdoing—if—if there is wrongdoing in government, it must be exposed." The law officer has a special obligation. His or her duty is an obligation to the people and to the law, and his (own?) conscience requires disclosure; not hiding, disclosure. Then in fulfilling their duty to the people, government lawyers traditionally have urged upon courts not to create new testimonial privileges to keep evidence out, to keep evidence away, from fact-finders. And in the same vein, government lawyers have historically said: "Courts, don't expand the old and ancient privileges. Keep them, but don't expand them because they're obstacles to the search for truth."

Now litigants often try, as they're, entitled to do, to concoct new privileges by contending that their relationship is just as important as the attorney-client relationship, on the spousal relationship or the priest-penitent relationship. But the problem is, they're arguing in the wrong forum. This is, in very broad compass, a legislative task. Congress is the proper forum for new federal privileges to be recognized in federal grand jury proceedings. An example from another field makes the point—and you will be pleased to know I am drawing to the end. I saw that look: "Is he going to keep going? Are we now going to have a law"—no, we're nearly through.

For many years the accounting industry, our brothers and sisters in the CPA community, have urged and indeed have pleaded for the creation—and many of you are familiar with this—of an accountant-client privilege. The argument is that accountants deserve the same protection as attorneys, and some very interesting policy arguments have been advanced to further that argument. But this effort has been resoundingly rebuffed by the courts. I'm not saying attorneys aren't—that accountants aren't important and the like, but rather saying no, you can't have a privilege. And indeed, the effort was finally resoundingly defeated by a once again unanimous Supreme Court. No such privilege, the court said, is going to be created.

And accordingly, the accounting industry has quite appropriately and properly turned to the Congress of the United States. And indeed, as we speak, on Capitol Hill right now there's a pending bill which, if enacted, would give accountants a narrow privilege in certain civil proceedings.

The point is this: If you want to expand an existing privilege to apply it in a new or unusual area, the place to go is Congress, not federal courts. The courts should not and cannot be in the business of creating new legal privileges from whole cloth, and lawyers ought to tell their clients that.

The search for truth and the proper counseling of clients is equally appropriate outside litigation. I know that there are people

in this room who try to avoid courtrooms, so let me say just a brief word in that respect.

What third party will intelligently agree to a one-sided transaction? What court will allow a transaction then to stand if it's based on deception, the hiding of facts, or affirmative misleading and misstatements?

Perhaps Elihu Root, a former secretary of state, a United States senator, and a renowned lawyer in his own right earlier in this century, put it most succinctly: "About half the practice of a decent lawyer consists in telling would-be clients that they are damned fools and they should stop what they're doing." (Laughter.)

Lawyers have great influence in our society. (Chuckles.) I heard a hearty "amen" down there—we have an "amen" bench here. (Laughter.) And as Justice O'Connor has recognized—let me turn to her very modern voice—"Ethical"—what a wonderful word—"Ethical standards for lawyers are properly understood as a means of restraining lawyers in the exercise of the unique power that they inevitably wield in a system like ours."

Dean Kronman of Yale describes the lawyer of yesteryear, the great lawyer of the past, as a lawyer statesman; a person who not only uses the law to benefit society, but helps to develop and refine the law so that it can effectively serve our highest and noblest goals. To that end, Sol Linowitz, the distinguished lawyer, business person, ambassador, points out in his also troubling book, "The Betrayed Profession" that lawyers of the past played a pivotal role in developing and securing the liberties that Americans today take for granted. In fact, Ambassador Linowitz observes other countries have similar constitutions and similar Bills of Rights, but they don't enjoy our liberties, and largely because those countries, in his words, "Lack a bar, a legal community with sufficient courage and independence to establish those rights." According to Dean Kronman, the lawyer statesman has virtually disappeared from our lives. And the lawyer statesman in the last generation has turned instead into a lawyer technician—Dean Kronman's haunting description. And more broadly, that the legal profession itself has become a business.

But, you know, even if this rather gloomy diagnosis is accurate—and I like to resist it, I truly do—but it hardly excuses lawyers from doing their duties. As a distinguished professor at the Harvard Law School, Mary Ann Glendon very aptly states, "Any business, including law, thrives best on cooperation and honesty."

In short, even as technicians, if that is what we have become on a specialized world, lawyers have a duty not to use their skills to impede the search for truth. Imagine the disaster that would consume our profession and indeed our society if lawyers let down their moral guard and simply shrugged when clients declare explicitly or implicitly to commit perjury. No longer in such a world would decisions by our courts be based on a balanced assessment of truth, fairness and justice, and no longer would our society (face/faith?), as it continues to do, in our legal system.

This search for truth, closing on a more cheerful note, advances our profession. I believe that lawyers have a very well-deserved sense of professional pride and a belief that what they do day in and day out has a potential to be worthwhile, rewarding, socially constructive and personally fulfilling. Lawyers serve clients, but they also serve the broader interests of our legal system and society. And in that process, it is important for us as lawyers to maintain a certain degree of independence and detachment. Otherwise, we are in danger of becoming that which our ancestors vigorously resisted, the

concept of the indentured servant rather than professionals. As the educator and lawyers Robert Maynard Hutchins once put it very well, "There are some things that a professional will not do for money."

The result is this: We cannot, whether in public life or in private practice, look solely to our clients for leadership. Lawyers too have a right, but they also have a responsibility, to exercise independent judgment. And at times, that means saying no to the client. You can't do it. We can't argue it. It means sticking up for the right thing, as our (lights?) lead us to believe what is right.

And in that process, we are, when we are at our best, guided not simply by the client's interest, but by that other pillar, the search for the truth. And that, it seems to me, is the path away from the seedy underworld of Grisham's loser and a rediscovery of the inspiring path that Atticus Finch urged us and urges us today, to walk upon.

Thank you very much.

THOMAS JEFFERSON
ELEMENTARY SCHOOL

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Ms. JACKSON-LEE. Mr. Speaker, I Congresswoman JACKSON-LEE, submit the following document concerning the Thomas Jefferson Elementary School.

THOMAS JEFFERSON ELEMENTARY SCHOOL

Whereas, Thomas Jefferson Elementary School has been selected one of three national first place award winners in the 12th Annual "Set a Good Example Contest" sponsored by the Concerned Businessmen's Association of America;

Whereas, Thomas Jefferson Elementary School under the guidance of their teachers and parents has exhibited hard work, dedication and perseverance combating the war on drugs, violence, crime and delinquency;

Whereas, Thomas Jefferson Elementary School will continue to aid in the war on drugs, delinquency, crime and violence in our schools;

Whereas, the need for strong young men and women and community activism is becoming more necessary and vital for the future of our Country;

Now therefore, be it resolved that Thomas Jefferson Elementary School has demonstrated a collective promise to aid in the fight against drug abuse, delinquency, crime and violence invading our nations schools. From this joining of purpose, Thomas Jefferson Elementary School has found effective ways and means to combat these increasing problems and are spreading the message, through the use of the book, "The Way to Happiness, a Common Sense Moral Guide," written by noted author and humanitarian L. Ron Hubbard, to those who have ears to hear. I will never turn from the example set forth by the remarkable work done by Thomas Jefferson Elementary School.

MANOLO DEL CANAL, MIAMI
PROMOTER

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Ms. ROS-LEHTINEN. Mr. Speaker, Mr. Manolo del Canal, an entertainment promoter

in my Congressional district, has had many successes in his field.

Mr. del Canal has had experience as a new director for the radio show "Cuba al Dia" which aired on WFAB in Miami. He was also a pioneer in establishing the idea of listeners calling directly to the shows they were hearing with their comments, otherwise known as radio call-in shows. He was one of the first to use this idea in his show called "Opinion Publica".

Another facet of Mr. del Canal's talents was his experience as a journalist, for he managed and operated a local newspaper called La Prensa. Mr. del Canal is currently in the business of promoting Latin American singers and actors. His goal is to make these Hispanic talents a household name in our great country.

Mr. Speaker, Mr. Manolo del Canal works hard on his craft every day.

TWO PHILANTHROPISTS TO EX-
PAND PRIVATE SCHOOL GRANTS
IN CITIES

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. GINGRICH. Mr. Speaker, the attached article from The Washington Post illustrates the frustration across the country over the performance of public schools. Theodore J. Forstmann and John Walton are two of the latest in a series of philanthropists to put up their own money in an effort to send low-income students to private schools. I submit the article to the CONGRESSIONAL RECORD.

[From the Washington Post]

TWO PHILANTHROPISTS TO EXPAND PRIVATE
SCHOOL GRANTS TO CITIES

(By Linda Perlstein)

Two wealthy industrialists announced plans yesterday to give 50,000 needy children scholarships that would allow them to abandon public schools in favor of private ones. The \$200 million initiative, which would be the largest of its kind, is the latest in a series of efforts by private philanthropists frustrated with the performance of public education.

Wall Street financier Theodore J. Forstmann and Wal-Mart heir John Walton will put up \$100 million of the money and will raise the rest from other philanthropists and community groups around the country. The two men say they have lined up \$19.4 million in pledges in five cities, including Washington, and are seeking \$80 million more by summer's end.

Public schools are a monopoly, Forstmann said, "monopolies produce bad products at high prices. Eventually, if there's no competition, nothing works very well."

Attempts to use taxpayer dollars to send children to private schools have hit roadblocks both in Congress and in the courts. Last month, President Clinton, who opposes publicly funded vouchers, vetoed a bill that would have given District students \$7 million to attend private schools.

As a result, donors are moving forward with projects. Last year, philanthropist Virginia Gilder offered \$2,000 each for students at an Albany, N.Y., primary school to attend private school. In April, a group of San Antonio business leaders put up \$50 million to send 13,000 low-income students to private schools.

The plans announced yesterday by Forstmann and Walton would expand a scholarship initiative the two contributed to last year in Washington and New York. Already, 1,000 District students are offered scholarships through the program. The new initiative, called the Children's Scholarship Fund, will finance 400 more.

In Washington and other cities where the two hope to start the program, \$1,000 scholarships will be offered to elementary and high school students whose family income falls below a certain level—typically \$18,000. They estimate that the money will cover about half of the annual tuition costs in most cities, with the children's parents committing to make up the balance. Students will be selected by lotteries in 1999.

In addition to Washington, the fund has lined up partners in Los Angeles, New York, Chicago and Jersey City, where Mayor Bret Schundler has chipped in \$25,000 of his own money.

Forstmann's supporters include many who oppose publicly funded vouchers. A White House spokesman, Barry Toiv, said that President Clinton supports the effort but still firmly opposes using public money for school voucher programs.

"They are in a position to help kids, and the president thinks that's great," Toiv said. "But the question of how we invest our public resources is an entirely different one. The president thinks that money has to remain in public education."

Even the heads of the two largest teachers unions said they do not object to private citizens giving scholarships. "I have no problem with what is basically a private act of philanthropy," said Sandra Feldman, president of the American Federation of Teachers. But "if the idea is that public schools don't work and children must escape, I would oppose that," she said.

HONORING MAJOR GENERAL
JAMES C. PENNINGTON, JR., U.S.
ARMY (RET)

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. CUNNINGHAM. Mr. Speaker, it is with great admiration but a heavy heart that I rise to pay tribute to an outstanding American and patriot, retired Major General James C. Pennington who passed away on June 5, 1998. General Pennington was the long-time president of the National Association for Uniformed Services. He died while carrying on the crusade which he had devoted much of his life—the crusade to save military health care benefits that were promised and dutifully earned by this country's veterans and military retirees.

The military and veteran community has lost a great leader. His insightful, frank comments and tenacious determination to convince the country's leaders to honor the promises made to those who put their lives on the line were a rallying point and an inspiration to all.

I got to know General Pennington well during the years we fought together to restore the full Cost of Living Allowance (COLA) to our nation's military retirees. A tireless advocate, he traveled all across the country meeting with veterans and their families, senior government officials, the powerful and the disenfranchised in an unwavering effort to advance the cause. He paid particular attention to the "old warriors," the group of veterans who fought and