add funding for the Legal Services Corporation. Low-income Americans need this agency to ensure that justice does not depend on one's ability to pay.

IN HONOR OF THE ALLIANCE OF POLES OF AMERICA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1998

Mr. KUCINICH. Mr. Speaker, I rise today to honor the Alliance of Poles of America on the occasion of its centennial year.

The Alliance of Poles of America has a long and proud history. Its history shows how hard its members are prepared to struggle for what they believe to be right for their community, and to preserve the traditions and culture of Poland. The Alliance's early years were not easy, but the organization's spirit carried it through. The entire Cleveland community has benefited from the enduring and successful presence of the Alliance of Poles, not only in the area of insurance, but also of charity.

After the challenge of its first, difficult years, the Alliance had to deal with the two World Wars. For Americans of Polish descent, it was very hard to watch their countrymen suffer under the vicissitudes of war, and later the yoke of Communism. But the Alliance of Poles was steadfast in its commitment to democracy, and successfully strove to aid the people of their home country.

My fellow colleagues, on the occasion of its centenary, please join me in honoring this enduring and most worthy organization—the Alliance of Poles of America.

PROTECTING THE CREDIT UNION MOVEMENT

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1998

Mr. LAFALCE. Mr. Speaker, I appreciated and supported the necessity to move quickly to pass H.R. 1151, the credit union field of membership bill, before the August recess. However, I remain troubled by one of the modifications the Senate Banking Committee made to the House version of the bill, which makes it easier for credit unions to become other types of financial institutions. I will continue to try to rectify this problem in other appropriate contexts. And I also encourage NCUA to use every means at its disposal to prevent credit union members from losing their ownership in a credit union at the hands of a very small minority.

A brief history of the conversion issue will illustrate my concerns. Through its regulations, the NCUA has quite rightly kept a tight rein on the conversion process, requiring a majority vote of all members of the credit union before a credit union can convert to a mutual thrift. This is a difficult standard, and it is meant to be. A credit union's capital, unlike that of any other financial institution, belongs to its members. Once the conversion to a mutual thrift is accomplished, the institution can easily convert to a stock institution, with the result that a few officers and insiders of the former credit union—not to mention the attorneys who encouraged the deal—can wind up owing much or all the former credit union's capital in the form of stock. Thus, in order to prevent insiders from walking away with capital which belongs to the entire credit union membership, and depriving that membership of their credit union access, NCUA instituted the majority vote requirement. This requirement was subject to notice and comment rulemaking in 1995. The agency received no comments opposed to the majority vote requirement, while fully half the comments on this section urged the agency to institute a supermajority requirement. 60 F.R. 12660 (March 8, 1995). The NCUA Board then imposed the least burdensome voting requirement suggested by the commenters.

Recently, credit unions have been under tremendous pressure to convert to other types of institutions. Legitimate uncertainty about the outcome of the AT&T case, encouraged by lawyers who specialize in conversions, produced a record number of conversion applications over the past several years. These same individuals then complained that NCUA processed applications too slowly and that the conversion requirements were too rigorous. They persuaded some members of the Senate Banking Committee to override NCUA's regulation and to weaken conversion requirements by allowing conversions upon a majority vote only of those members voting. This means that a very small fraction of credit union members could force a credit union to convert, even against the wishes of the overwhelming majority of members who are either unaware or did not participate in a vote. This same faction can then profit by a further conversion to a stock institution.

While H.R. 1151 will address the field of membership issue for most credit unions, other restrictions imposed by the Senate version of the bill, such as the limits on loans to members for business purposes, will cause some credit unions to consider converting to other types of institutions. You can be sure that some outside consultants are already analyzing this legislation and preparing new arguments to credit unions as to why they should convert. This is why I urge NCUA to enhance its close scrutiny of conversion applications. While it may seem as if NCUA has very little discretion in this area, the legislation does at least grant them authority to administer the member vote, and require that a credit union seeking to convert inform the agency of its intentions 90 days before the conversion. I would like to point out several ways in which NCUA can continue to exercise vigilant oversight over the conversion process within this 90-day period.

First, I encourage NCUA to strictly supervise the notification of members regarding the impending conversion vote. The legislation requires that notice be sent 90, 60, and 30 days before the conversion vote. NCUA should require that these notices be separate and distinct from other mailings and statements. The notice must go beyond NCUA's current notice requirement and explain to members not only the facts of the conversion proposal, but also the fact that they will lose their ownership rights and that the member capital of the credit union could potentially be converted to private stock. Now that the members lack the protection of the majority vote requirement, they must be informed about any and all possible outcomes of the conversion.

Further, NCUA must strictly supervise the process of taking the member vote. Where so much is at stake, both for the general membership and those seeking to convert, outside election monitors must be employed. NCUA should ensure that firms used for monitoring elections have no ties to the credit union, those seeking the conversion or the lawyers assisting in the conversion process. The monitoring firm should be required to submit a list of all its clients for the past five years. The monitoring firm and each member of the credit union board should then be required to sign a statement indicating that they have had no prior dealings, with falsification of these statements subject to criminal and civil penalties.

I would like to point out that such requirements are not barred by the instruction to NCUA to develop regulations consistent with other regulators' conversion requirements, as other types of financial institutions do not have members threatened with losing their capital. While I agree that regulatory requirements should be comparable between agencies when possible, this is a case where strict parallels are impossible. Also, the law allows NCUA to require the conversion vote to be taken again if it ''disapproves of the methods by which the member vote was taken or procedures applicable to the member vote.'' This provision explicitly permits strict oversight by NCUA and I sincerely hope they will use it to protect credit union members. It allows disapproval for example, if there is less than a majority of members voting, as that would put a cloud over the efficacy of the notifications.

Mr. Speaker, as I said earlier, I do not want to oppose such an important piece of legislation that I had worked so hard to craft. However, I did feel obligated to note my concerns with the conversion provision and strongly encourage NCUA to enforce this provision very strictly.

CONGRATULATING MONSIGNOR ALLIEGRO ON THE TWENTY-FIFTH ANNIVERSARY OF HIS ORDINATION

HON. MICHAEL PAPPAS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1998

Mr. PAPPAS. Mr. Speaker, it is my honor to congratulate Monsignor Michael J. Alliegro as he celebrates the twenty-fifth anniversary of his ordination to the priesthood.

Since his ordination in May 1973, Monsignor Alliegro has served the people of New Jersey in many ways. Upon ordination, he served as associate pastor of his childhood parish, Our Lady of Peace in Fords, New Jersey. He then served as vice principal of Saint John Vianney High School in Holmdel, New Jersey, as principal of Bishop Ahr High School in Edison, New Jersey and on the faculty of Immaculate Conception Seminary in South Orange, New Jersey.

When the Diocese of Metuchen was established in 1981, Monsignor Alliegro held various leadership posts in which he assisted parishes and citizens with their spiritual needs, in addition to helping to increase vocations to the priesthood.

The community-at-large has also benefitted from Monsignor Alliegro's dedicated service. Since 1990, he has served as chaplain to the men and women of the East Brunswick Police Department. He also lives by the command to ''serve the least of my brothers and sisters'' through his support of the Saint Vincent de Paul food pantry. The countless hours which Monsignor Alliegro dedicates to those in need of clothes, food, emotional and physical support is an example which all of us should model.

Monsignor Alliegro's humble work on behalf of the people of New Jersey earned him the title ''Monsignor,'' which was bestowed on him by Pope John Paul II in 1993. Today, he continues to serve the diocese's spiritual life as pastor of Saint Bartholomew Parish in East Brunswick.

Mr. Speaker, Mother Teresa asked all of us ''to quench the thirst of Jesus by lives of real charity.'' Monsignor Alliegro has done this throughout his life. I wish him many more years of selfless charity to all of God's people.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

SPEECH OF

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 5, 1998

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4276) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1999, and for other purposes.

Mr. FORBES. Mr. Chairman, I commend Chairman ROGERS, Ranking Minority Member MOLLOHAN, the entire subcommittee staff, both Republican and Democrat, and the rest of my colleagues on the Appropriations Subcommittee on Commerce, Justice, State and the Judiciary for crafting an equitable bill that addresses many of the problems facing coastal areas like Long Island.

Brown Tide is a micro-algae bloom that was first reported in the bays of Long Island in June of 1985, devastating Long Island's million dollar scallop industry and reducing a harvest of 278,532 pounds in 1984 to just 250 pounds by 1988. Virtually every coastal state has reported some type of harmful algal bloom. In this bill we have given $19 million dollars to the National Oceanic and Atmospheric Administration's (NOAA) Coastal Ocean Program (COP), $1.2 million above the President's request and $1.8 million above Fiscal Year 1998.

NOAA's Coastal Ocean Program, is collaboration with the New York Sea Grant Program operating out of Stony Brook University, has implemented efforts to improve management strategies for effectively reducing harmful algae blooms like Brown Tide. These efforts are a crucial first step towards developing a comprehensive, multi-agency, national capability for understanding and controlling algae blooms in our national coastal waters.

I am particularly pleased that the Committee directed NOAA to give maximum priority to continuing the focus they have given over the last three years to the Brown Tide problem in the Peconic, Moriches and adjacent Long Island bays and inland waterways—a program that has come to be known as the ''Brown Tide Research Initiative'' (BTRI). NOAA's focus on the Brown Tide problem has resulted in $1.5 million over the last three years being devoted to the BTRI and I will work closely with NOAA to see that this funding priority continues to be addressed in this manner, as the committee has directed in this legislation.

Also included in this legislation is an additional $450,000 to conduct a study utilizing the expertise of Long Island's university research programs, like those already in place at the State University of New York at Stonybrook, to initiate separate research on the impact environmental problems like Brown Tide have on the development of hard clam species in the South Shore Estuary Reserve on Long Island. I am pleased that the Committee has increased the ''Resource Information'' account in the National Marine Fisheries Service (NMFS) budget to allow NMFS to provide support for work on the South Shore Estuary Reserve (SSER).

The hard clam has been an economic and ecological cornerstone of the South Shore Estuary area, but harvests have dropped precipitously since the 1970's. While it has long been recognized that this decline may be attributable to a number of factors, some evidence suggests that the situation may be further changing. A key acquaculture company in New York, Bluepoints, just announced that it will be discontinuing its hard clam production due to a great decrease in growth rates. Other reports indicate that natural clam recruitment (settlement, growth, and survival) is at an unprecedented low level.

Clam-related studies funded by New York Sea Grant Program in the early 1980's gave the industry and managers much-needed knowledge, but conditions are evolving and a critical reexamination and new investigations are essential at this time. The SSER Technical Advisory Committee has identified the study, ''Hard Clam Population Dynamics,'' as its highest priority. I thank the Committee for providing these funds needed to preserve an important estuary and an industry on Long Island.

Billions of dollars in economic growth, thousands of jobs and countless recreational opportunities are being wasted as a result of over-fishing our commercial and recreational fisheries. I support the priorities set within the nearly $3.4 million of funding the Committee has provided for NMFS. The Committee has increased the ''Resource Information'' account in the NMFS budget $200,000 over last year's level, providing funds for Southampton College of Long Island University to establish a Cooperative Education Marine Research (CEMR) program with NMFS. I will work closely with Southampton College and NMFS to ensure an education and research program is developed at Southampton College that will address problems with the bluefish and striped bass fisheries off Long Island.

Also, I fully support the Committee's decision to examine the problem of unavailable and sometimes incomplete scientific information that make management decisions difficult, to say the least. It is unfair to ask those who fish for lobster and scallops to spend thousands of dollars on new equipment to reduce fish by-catch and whale entanglements without clear evidence that these efforts will be effective, and we have begun to address this problem by funding new scientific, comprehensive studies of changes in fish stocks, particularly to determine whether stocks have declined or merely moved offshore—an issue of extreme importance also to the Bluefin Tuna fishermen of Long Island.

There are still some serious issues that need to be addressed, such as the National Marine Fisheries Service's often controversial, and I would say faulty, quota allocations among elements of our fishing industries. Long Island's Bluefin Tuna fishery has closed prematurely during the past three years, creating severe economic hardship for many Long Island fishermen, due to these faulty quotas. Also included is a provision to address the National Marine Fisheries Service's (NMFS) repeated closures of the Altantic Bluefin Tuna Fishery and its impact on Long Island's fishing industry.

Relying on those inaccurate figures, NMFS has tried to maintain its quotas in each of the past three years by closing the fishery just as the Bluefin Tuna moves into New York's ocean waters in late summer. NMFS's management of the Atlantic Bluefin Tuna has been an embarrassment and their repeated closures of this fishery have wreaked havoc with Long Island's multi-million dollar recreational and commercial fishing industries. In this bill the Secretary of Commerce is directed to report to the Committee on the Department's efforts to fully resolve this problem caused by NMFS's reliance on faulty reporting practices that produce inaccurate estimates on the number of Bluefin Tuna caught.

Managing our coastal resources must go beyond managing fish stocks. We must also focus on habitat restoration and clean-up. Since 1985, Long Island Sound has been recognized as an ecologically diverse and threatened estuary by Congress. It was one of the first estuaries included in the National Estuary Program. The federal government has spent about $1.725 billion on environmental clean-up and assessment of pollution in Long Island Sound. We have provided $63.5 million in this bill for NOAA's Coastal Zone Management program to preserve, protect and, where possible, restore and enhance our coastal resources, like Long Island Sound.

Yet despite these tremendous efforts, the U.S. Navy was allowed to dump over 1 million cubic yards of contaminated sediment into Long Island Sound. I have crafted the ''Long Island Sound Preservation Act'' (H.R. 55), to put an end to this practice that compromises the billions of dollars spent on environmental restoration of Long Island Sound. It runs counter to public opinion that we should protect and conserve our oceans, coasts and beaches and counter to the intent of Congress to develop and implement comprehensive environmental protections.

Finally, it is unfortunate that I must mention my concerns about whether the terms of the U.S.-Japan Insurance Agreement of 1994 and 1996 are being violated by one Japanese company involved in selling insurance products in Japan's third sector insurance market. In a recent meeting, the US Trade Representative committed to several Members of Congress that she would hold an open, fair and complete interagency review of this matter. I understand that government officials outside of