

TRIBUTE TO MR. PHILIP C. MUSGRAVE, UPON HIS RETIREMENT AS PRINCIPAL FROM STROM THURMOND HIGH SCHOOL

HON. LINDSEY O. GRAHAM

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 1998

Mr. GRAHAM. Mr. Speaker, I rise today to recognize the remarkable achievements of Philip C. Musgrave. Mr. Musgrave has had a splendid career in education and discipline which has spanned more than three decades. Sadly, we say goodbye to this gentleman, but are grateful for the legacy that remains.

The youth of Edgefield County owe a debt of gratitude to Mr. Musgrave for his firm, but fair style of discipline. When love was absent at home, there was Mr. Musgrave. When the role model was nowhere to be found, there was Mr. Musgrave. When they needed someone simply to talk to, there was Mr. Musgrave.

As a coach, a teacher and a principal, he has influenced thousands of young men and women. A recognized leader in Edgefield County, he has honed his leadership skills over the years and developed a sense of strong values vital to his many roles. From my contact with him as an educator and a mayor, he has impressed me with those characteristics revered by many; including honor, humility and personal integrity. I have found Mr. Musgrave to be a dedicated man of outstanding character, concerned with the needs of other and with the willingness and ability to lead.

INTRODUCTION OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1998

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 1998

Mr. TAUZIN. Mr. Speaker, I am pleased to introduce a bill today to help America's energy consumers by repealing an outdated law that is keeping the best of the new technologies and innovative services from reaching our marketplace. I am pleased to be joined by Reps. BARTON, etc. in introducing this important legislation. Our bill, which is similar to legislation already pending in the Senate, would repeal a New Deal Law, the Public Utility Holding Act of 1935 (PUHCA).

Our legislation is a bipartisan initiative. The current Democratic and previous Republican Administrations have called for repeal of PUHCA. This legislation would implement the recommendations of the Securities and Exchange Commission (SEC) made in 1995 following an extensive study by the SEC of the effects of this outdated law on today's energy markets.

It is a law that has outlived its usefulness. It imposes unnecessary costs on consumers and directly undermines the intent of recently enacted federal and state policies designed to bring more competition to America's energy market.

PUHCA was enacted in 1935 to address abuses arising out of pyramided corporate structures at a time when electric utility regula-

tion was just starting at both federal and state level. PUHCA's primary purpose was to dismantle more than 100 complex utility holding company structures that, in many cases, took advantage of weak federal and state regulations to pursue inappropriate business practices. The result of this dismantling is that the number of utility holding companies registered under PUHCA had been reduced to the current 14. These 14 electric and gas utility holding companies are required by PUHCA to operate under arbitrary investment caps that preclude them from investing in areas of need. Other utility companies are exempt from PUHCA's caps, but must operate primarily within one state in order to maintain their exemptions. Our Nation's gas and electric utility companies, therefore, must operate principally within certain geographic "boxes." This stifles innovation, hinders competition, and undermines development of regional electricity markets. This inhibits the very competition that Congress has sought to foster in the Energy Policy Act of 1992.

America's natural gas and electric power industries, confronted by lower growth rates, environmental mandates and the need to emphasize conservation, are trying to become more than just suppliers of electricity and natural gas. To succeed in this new economic environment, they must become provider of energy information and services. PUHCA, however, stands in the way of the efforts by our nation's utility industry to serve consumers in a more efficient manner.

The counterproductive restrictions that PUHCA places on these companies are based on historical assumptions that are not longer valid. The factors that existed when PUHCA was enacted in 1935 no longer exist today. Federal and state laws at that time were inadequate to protect consumers and investors 60 years ago. Today, Federal and State regulations have become much more comprehensive and sensitive to market conditions. PUHCA, however remains an economic drag on America's energy industry.

The ability of State commissions to regular holding company systems and, together with the development of regulation under the Federal Power Act of 1935 and the Natural Gas Act of 1938, have eliminated the regulatory "gaps" that existed in 1935 with respect to wholesale transactions in interstate commerce. The expanded ability of State commissions and the FERC to regulate inter-affiliate transactions has rendered the 1935 Act unnecessary.

Simply put, America no longer can afford the Public Utility Holding Company Act of 1935. Using conservative estimates, the cost of this law runs into the billions of dollars. Restrictions on the ability of companies registered under PUHCA to diversify range from \$2 billion to \$4.5 billion in present value terms. PUHCA's utility integration restrictions impose social costs between \$1 billion and \$8 billion. In addition, the administrative costs of complying with the 1935 Acts requirements are substantial.

Our legislation would reform regulation of utility holding companies by repealing the duplicative SEC-related provisions of the Public Utility Holding Company Act of 1935, while assuring that the SEC retains all of its non-PUHCA jurisdiction of securities and securities markets in order to protect investors. Our bill would put gas and electric power companies

on an equal competitive footing, allowing them to take advantage of market opportunities that benefit investors and utility companies.

Our legislation will remove those limitations on registered companies' corporate structures, financing and investments to which they alone have been subject. At the same time, however, under our legislation, registered companies will continue to be subject to all government regulation intended to protect investors to which other industry participants are subject. SEC authority under the 1935 Act, the Trust Indenture Act and State Blue laws will all remain in place. Our bill will assure FERC access to those books, records, accounts, and other documents of holding companies, their affiliates and subsidiaries, that are relevant to costs incurred by a public utility company and are necessary for the protection of consumers with respect to rates.

Our bill also gives the right to inspect books and records that "have been identified in reasonable detail in a proceeding before the State commission, are relevant to costs incurred by such public utility company and are necessary for the effective discharge of the State commission's responsibility with respect to such proceeding."

In the new environment confronting the utility industry, PUHCA has become nothing more than a bottleneck that constrains the ability of our Nation's natural gas and electric power industries to serve consumers. PUHCA is an anachronism that burdens utility systems with costs and restrictions that impair their competitiveness and prevent them from adapting to the new and more competitive environment. PUHCA is no longer a solution because the problems of the 1930's have replaced by effective State and Federal legislation and by the realities of today's marketplace. It is time for Congress to act on the recommendations of the SEC and enact our legislation.

FREEDOM FROM RELIGIOUS PERSECUTION ACT OF 1998

SPEECH OF

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 1998

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2431) to establish an Office of Religious Persecution Monitoring, to provide for the imposition of sanctions against countries engaged in a pattern of religious persecution, and for other purposes:

Mr. CRANE. Mr. Chairman, I rise in reluctant opposition to H.R. 2431, the Freedom from Religious Persecution Act. As a Christian, I am always deeply concerned when reports surface about individuals and groups anywhere in the world being persecuted for their faith.

However, like so many situations that face us in the international arena where we seek to change the behavior of other governments, legislation can often do more harm than good, both for the people we seek to help and for U.S. national interests.

With respect to H.R. 2431, there is no evidence that the automatic sanctions triggered by the bill would do anything but incite further

persecution in the divided and troubled countries that it is designed to condemn. Although the sanctions in the bill have been watered down during the many months this legislation was stalled in the International Relations Committee, the premise and structure of H.R. 2431 remain fundamentally flawed.

The bill creates a mid-level bureaucracy within the State Department, the "Office of Religious Persecution Monitoring," which would have extraordinary powers to publicly condemn and sanction a wide range of countries important to U.S. national security interests. The "Office Director" would be charged with identifying countries that engage in or tolerate religious persecution. Countries named as violators would be subject to an arbitrary, "one size fits all" list of trade sanctions including denial of U.S. foreign assistance, denial of visas, and prohibitions on U.S. exports and U.S. support for multilateral development bank assistance.

The danger is that sanctions are automatic, can be waived by the President only in very narrow, extraordinary circumstances, and are limited to one year. Contrary to statements made by the bill's proponents, H.R. 2431 contains no authority for the President to waive sanctions if he determines that they would result in the loss of American jobs or otherwise have an adverse impact on U.S. economic interests. Under the bill, sanctions would be imposed on many governments that are important to U.S. trade, security and foreign policy interests. These countries include Egypt, Saudi Arabia, Indonesia and Morocco.

The supporters of H.R. 2431 say that this bill will force foreign governments to improve their treatment of religious minorities and help alleviate egregious human rights abuses. Yet they fail to offer any evidence that this bill would be effective in achieving its intended result.

In truth, the call for passing H.R. 2431 is not coming from persecuted religious minorities throughout the world. Indeed, many prominent religious leaders from countries this bill is designed to target recently traveled to Washington to warn us that the bill would only further divide them from the societies in which they live and struggle to worship freely. These leaders, such as the Rev. Canon Clement Janda, General Secretary of the All Africa Council of Churches and a native Sudanese Anglican priest, and The Rev. Dr. Joseph Pattiasina, General Secretary of the Communion of Churches in Indonesia, told me in the strongest possible terms that H.R. 2431 would exacerbate tensions between Christians and Muslims in their respective countries.

Christians and clergy working in China, Saudi Arabia and Egypt say that the bill would make their plight worse, not better. For example, the United Church of Christ, which has supported missionary work for decades in many Middle Eastern countries, writes: "By using U.S. power to accuse all Muslim countries of religious persecution, . . . radical Muslims will be strengthened in their efforts to associate Christianity with the West." Religious minorities and missionaries who have dedicated their lives to Christian education abroad fear that their work will be undermined because their host governments will blame them for the imposition of sanctions under this bill.

Rev. Billy Graham's son, Nelson Graham, who heads a large, successful Christian missionary program in China, wrote to urge Con-

gress to reconsider this legislation because of the potential harm it could do to both American missionaries and to indigenous religious organizations in China, as well as in other targeted countries. He believes these groups were given no opportunity to participate in the development of H.R. 2431.

The National Council of Churches, which represents 34 Protestant denominations (including the Methodists, Lutherans and Presbyterians) with an aggregate membership of 53 million Americans, also strongly opposes this legislation because it does not take into account the concerns of a broad spectrum of religious leaders who are "on the ground" fighting religious persecution overseas.

Mr. Chairman, unilateral trade sanctions are dangerous because they appeal to an emotional need in all of us to condemn reprehensible behavior in the strongest possible terms. Yet history has shown that unilateral trade sanctions rarely, if ever, succeed in changing rogue behavior.

In my view, the United States has been the most successful in advancing our values of religious freedom and democracy by remaining active in countries where these principles are not well-established. A policy of engagement fosters expanded opportunities to spread the Christian message through direct contacts that would be denied to us if we pursue a policy of isolating countries through punitive economic sanctions.

Because there is strong evidence that the sanctions proposed in this bill would do more harm than good to religious minorities and American missionaries working abroad, I am opposed to H.R. 2431.

HONORING BILLIE CARR ON HER 70TH BIRTHDAY

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 1998

Mr. BENTSEN. Mr. Speaker, I rise to honor Billie Carr of Houston for her abiding commitment to making our democracy work for all Americans as she celebrates her 70th birthday on June 1, 1998. Known fondly as "Boss" and "The Godmother" Billie Carr is a political legend. She has been active in local, state, and national politics since 1952, influencing our nation's leaders at all levels and inspiring countless others to become involved in public service.

A native Houstonian, Billie Carr started her political involvement in 1952, working for candidates like Ralph Yarborough and Adlai Stevenson. She has been involved in every political campaign since, helping to elect candidates for every office from precinct chair to president.

Billie was elected in 1954 to the Harris County Democratic Executive Committee from her precinct, a position she has held ever since. She served on the State Democratic Executive Committee from 1964 to 1966 and remains an ex-officio member.

In 1956, Billie started working with Mrs. R.D. "Frankie" Randolph and has offered a unique approach to organizing at the grassroots level ever since. As a thankful student and gracious mentor, Billie perpetuates that experience by presenting Frankie Awards to noted Democratic organizers every year.

In 1972, Billie was elected to serve on the Democratic National Committee, and she was elected to her fifth term in 1992. The Southern Region of the Democratic National Committee elected Billie to represent them on the Executive Committee of the DNC in 1988. She was reelected in 1993, and continues to serve in that capacity today. She served on the National Resolutions Committee from 1984 to 1988, the National Platform Committee from 1983 to 1984, and the National Fairness Committee from 1984 to 1986.

In all that she has done, Billie Carr has been a leader, organizer, and innovator. Known for her liberal politics, Billie is a charter member and organizer of the Harris County Democrats and the Texas Democrats.

Billie Carr's activism and leadership have won her many well-deserved awards. She received the National New Democratic Committee's prestigious Eleanor Roosevelt Award in 1986. In 1987, she received the Harris County Democrats Lifetime Achievement Award. The Texas Democratic Women presented her with their certificate in 1992, and the National Federation of Democratic Women gave her their Star Award in 1993.

While many have benefited from the two books Billie has published, along with numerous articles and classes, there is no better way to learn about political campaigns than to work with her, as many have been so fortunate to do over the years. In addition to her many successful campaigns and the subsequent successes in public office of those she helped to elect, perhaps Billie Carr's most important legacy is the many campaign workers and volunteers who have been inspired by her to continue in public service.

Mr. Speaker, I am pleased to join Billie Carr's family and friends and all those she has inspired in honoring her on the occasion of her 70th birthday and commending her on a lifetime of achievement. May the coming years bring good health, happiness, and time to enjoy her three sons, their families, and her grandchildren, as well as further political successes.

TRIBUTE TO ANTHONY FIORELLO

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 1998

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention Anthony Fiorello of Wayne, New Jersey who is being honored this evening by the Borough of West Paterson for his service as Municipal Court Judge.

Tony was born on May 11, 1940. A resident of Passaic County, he graduated from Passaic Valley High School in 1958 whereupon he entered Seton Hall University as an undergraduate student in Political Science. Tony graduated in 1962 with a B.A. in Political Science and in the top 10 percent of his class with a 3.3 G.P.A.

At Seton Hall, Tony was involved in many campus activities including President of the TKE fraternity, varsity-lettered athlete in fencing (selected to E.C.A.C. Championship tournament, Deputy Brigade Commander—ROTC Brigade, and Distinguished Military Student. He also received the University Cross and Crescent Award for Outstanding Achievement