

in Academic, Moral, and Extracurricular Accomplishments.

In 1962 Tony entered Seton Hall's School of Law where he was selected as a Centennial Scholar. He was a Charter Member and Secretary of the PAD, a professional legal fraternity and co-authored a study on election laws in states comprising the Third Circuit. During this time, he also served a clerkship for the City Attorney, City of Paterson.

In February 1966, Tony was called to active service during the Vietnam War and was commissioned as a First Lieutenant. He was promoted to Captain in 1967 and served as Assistant Inspector General, U.S.A.T.C., Fort Knox, Kentucky where he later served as a member of the U.S.A.T.C. General Staff. Tony was decorated with the U.S. Army Commendation Medal and the National Defense Medal.

Tony has a wealth of legal experience, with a career spanning 32 years. A trial attorney, he has served many local municipalities as their attorney including the Borough of Wanaque—where he still serves, the Township of Wayne, the Boroughs of Totowa and Haledon, and the Cities of Passaic and Garfield (Board of Education). Tony also served as the Municipal Court Judge for the Borough of West Paterson, from 1995 to 1998. Additionally, he has been appointed by the New Jersey Superior Court as guardian for incompetents and minors, and as a fiscal agent for corporations involved in litigation.

An active member of the community, Tony has given much of his time to many local civic and religious organizations. He is a member of the Wayne Elks, President of the Wayne Jaycees, and a member and coach at the Wayne P.A.L. Tony is also Director for many groups including Citizens Against Drug Abuse and the Greater Wayne Chamber of Commerce, and is Chairperson of the North Jersey Country Club. He is President of the Holy Cross Home School Association as well as the Paterson Diocesan Federation of Home School Associations. Tony has also served as a presenter for the New Jersey Catholic Conference in dialogue with federal and state legislators on issues of importance to New Jersey Bishops.

Tony was married on February 20, 1965 to the former Isabell Gallagher. They have three children—Jackilyn Fiorello Carpinteri, age 31, Kathleen Fiorello, age 29, and Brian Fiorello age 26.

Mr. Speaker, I ask that you join me, our colleagues, Tony's family and friends, and the Borough of West Paterson in recognizing the many outstanding and invaluable contributions Anthony Fiorello has made throughout the years to our community.

#### CLARIFYING FEDERAL FUNDS FOR MOORHEAD, MINNESOTA

#### HON. COLLIN C. PETERSON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 1998

Mr. PETERSON of Minnesota. Mr. Speaker, the purpose of this statement is to demonstrate the clear legislative intent for federal funding to "Reconstruct SE Main Avenue and Related Improvements, completing 34th St. Corridor Project, Moorhead, Minnesota" contained in H.R. 2400, The Building Efficient

Surface Transportation and Equity Act of 1998 or "BESTEA." The intent of this federal allocation is based upon an agreement reached between the City of Moorhead Township.

To clarify the legislative intent of the current federal allocation to the City of Moorhead, Minnesota under H.R. 2400 as understood and agreed to by both the City of Moorhead, and Moorhead Township, the following description applies:

First, no railroad relocation can take place under this project regardless of the source of funding for that relocation unless the Moorhead Township agrees with the City of Moorhead on all aspects of the railroad relocation.

Second, \$250,000 of this funding will be used to study the interchange and rail relocation alternatives and will be conducted jointly and with a coequal status between the City of Moorhead and Moorhead Township:

These funds shall be made available for a local commission called The Commission to Study Alternatives of Rail Relocation in the Moorhead Region. This commission shall consist of three members representing the Township of Moorhead and three members representing the City of Moorhead. The commission shall also consist of a seventh member agreed to by both the City of Moorhead and Moorhead Township. No funds for rail relocation can be made available until agreement is reached by this commission for alternative sites or plans.

Intended funding for this project shall be used only for those phases of the 34th Street Corridor Project as outlined in the attached information.

#### PERSONAL EXPLANATION

#### HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 1998

Mr. GOODLING. Mr. Speaker, I unfortunately was unable to be present on May 19, 20, and 21 for the following recorded votes. Had I been present, I would have voted No on Rollcall Vote 156, No on Rollcall Vote 157, No on Rollcall Vote 158, No on Rollcall Vote 159, No on Rollcall Vote 160, Yes on Rollcall Vote 161, Yes on Rollcall Vote 162, Yes on Rollcall Vote 163, Yes on Rollcall Vote 164, Yes on Rollcall Vote 165, Yes on Rollcall Vote 166, and Yes on Rollcall Vote 183.

#### VIOLATIONS OF THE UNITED STATES-JAPAN INSURANCE AGREEMENT

#### HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 1998

Mr. BISHOP. Mr. Speaker, I would like to express my concerns regarding current violations of the United States-Japan Insurance Agreement. Effective enforcement of existing trade agreements must be a fundamental objective of U.S. trade policy. I am sad to report, however, that blatant violations of the United States-Japan Insurance Agreement are now taking place with barely a word of protest from the United States Government.

The United States-Japan Insurance Agreement is one of the United States' primary market access agreements with Japan. It is supposed to promote liberalization of the Japanese insurance market by maintaining existing safeguards in the third sector, where United States companies have traditionally had success, until the primary first and second sectors have been liberalized by the Japanese Government. Currently, however, this arrangement is under direct attack by Yasuda Fire and Marine Co., Ltd., Japan's second largest non-life insurance company—who has used its affiliate and de facto subsidiary INA Himawari Life Insurance Co., Ltd. to prematurely ramp up its presence in the third sector.

If we allow Yasuda to continue expanding its third sector presence before the life and non-life sectors are substantially deregulated, the Agreement will lose its primary incentive for compliance by Japanese firms (i.e., the promise of access to the third sector). Although it failed to comply with the Agreement's critical third sector provisions, Japan appears ready to start the clock running on the two and one-half year lead up to opening the third sector to large Japanese companies on July 1 of this year. The Government of Japan must not be allowed to take this action until measures are taken to remedy the violations. The future of United States companies in the Japanese market is at stake. The Administration should take immediate action to ensure full and effective enforcement of this agreement.

The current violations also pose a substantial threat to U.S. foreign and trade policy. If the United States is unable to take forceful action in the face of clear violations of the United States-Japan Insurance Agreement, the Administration will be signaling Japan, as well as other countries that would negotiate with us in the future, that the United States is unwilling or unable to enforce commitments made to it.

#### IT'S OFFICIAL. THE SAFE ACT, (H.R. 695) JEOPARDIZES ISRAEL'S SECURITY!

#### HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 1998

Mr. SOLOMON. Mr. Speaker, the Israeli Ministry of Defense has just issued a statement regarding encryption which states that the decontrol of encryption exports, as allowed by the SAFE Act, (H.R. 695) would threaten Israel's national security. Listen carefully to their exact statement: "Israel considers the regulation and control of encryption products and technology to be vital to its national security, the combating of terrorism and effective law enforcement. Engagement of any kind in encryption technology in Israel is controlled by the Government of Israel. Israeli government policy will continue to protect sensitive and essential interests by enforcing strict national security policy in this regard. It is Israel's view that all countries should do their utmost to prevent the acquisition of strong encryption technology and products by terrorist and criminal entities."

And yet, as we all know, H.R. 695 allows for the immediate export of unrestricted encryption technology and allows for the acquisition of strong encryption technology by

international terrorists. When questioned about the effects of H.R. 695 (The SAFE Act) Major General David Ivry, Advisor to Israel's Minister of Defense said that "we would encourage all of our friends in the United States to oppose the bill." Any friend of Israel in the United States Congress who are cosponsoring H.R. 695 should ask for a briefing by the NSA and then remove their names from the bill.

All Americans who care about Israel's security should find out where their Member of Congress stands on this most important issue. The proponents of this bill maintain that Israel's enemies will eventually possess encryption technology. Even if this is true, it fails to explain why we should rush to place this technology in the hands of our enemies.

The Department of Defense, the National Security Council, the National Security Agency and now the Israel Ministry of Defense believe that America and Israel need time to develop countermeasures to address the various threats posed these new technologies and H.R. 695 does not give us this time. The truth is that now that we have the official Israel position on encryption no real friend of Israel should remain a cosponsor of H.R. 695.

#### ESTABLISH THE ADMINISTRATIVE LAW JUDGE CONFERENCE OF THE UNITED STATES

**HON. GEORGE W. GEKAS**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 22, 1998*

Mr. GEKAS. Mr. Speaker, today I introduced an important bill, "The Administrative Law Judge Conference of the United States Act", that reforms the administrative judiciary of the United States by establishing an administrative office for the 1400 Federal administrative law judges. The ALJ Conference is modeled upon the Judicial Conference of the United States which provides similar administrative functions for Federal Article III judges.

Currently, there is no uniform administrative office for Federal administrative law judges which promotes the improvement of the administrative law process. The ALJ Conference of the United States would enhance the independence of decisionmaking and the quality of adjudications in the administrative due process hearing. The American public will benefit by the establishment of uniform standards for professional conduct of administrative law judges that will be government wide in applicability with a government wide complaint resolution process for claimants. Public accountability of the administrative judiciary will be additionally insured by the establishment of a complaint resolutions board which has a public member and agency administrative law judges.

Since the Administrative Procedure Act (A.P.A.) was enacted over 50 years ago, there has never been any system for independent review of agency compliance with the A.P.A. and no process for reporting to the Congress on these important public safeguards for fundamental due process and the fair hearing process before administrative agencies. The ALJ Conference of the United States will provide for regular reports to the Congress on agency compliance with the A.P.A. This process will greatly assist the Congress in its over-

sight of agency compliance with the A.P.A. and will enhance the ability of the Congress to assess the status of individual rights in adjudications before Federal agencies. This reform permits the Congress to maintain oversight on constitutional safeguards such as the right to an impartial and independent decisionmaker, notice and opportunity to appear at a prompt hearing, and the receipt of a timely hearing decision. These protections are to be accorded to every citizen prior to the loss of important rights, property or benefits.

The ALJ Conference of the United States will assume all duties currently performed by the Office of Administrative Law Judges at the Office of Personnel Management (OPM). The budget currently used to operate this office at OPM will be transferred to the ALJ Conference. Agencies will continue to select ALJs but the selection process and ALJ register will be managed by the ALJ Conference. The Administrative Judiciary of the United States is the only merit selected judiciary and the ALJ Conference will maintain the high standards we have come to associate with the Federal ALJ Corps.

Establishment of the ALJ Conference of the United States would significantly increase public trust and confidence in the integrity and independence of decisionmaking by administrative law judges throughout the Federal Government. The current Administration advanced the concept of an ALJ administrative office or conference during negotiations over legislation to place all administrative law judges in a government wide unified corps. Therefore, this effort should be a bipartisan activity of the Congress in the interest of good government, and to that end I invite my fellow colleagues on both sides of the aisle to join me in sponsoring this bill and in making the ALJ Conference a reality this year.

#### RECOGNIZING JULIAN "BUD" BATLAN ON HIS RETIREMENT AS POST COMMANDER

**HON. MICHAEL PAPPAS**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 22, 1998*

Mr. PAPPAS. Mr. Speaker, this weekend, I will be attending the Jewish War Veteran's Manalapan-Marlboro Post 972 installation ceremony for their 1998-1999 post officers. At this brunch, the post will also be honoring the retiring Post Commander, Julian "Bud" Batlan.

Bud is a direct descendant of the first known member of the Jewish faith to settle on the eastern shore of North America, whose extended family has served in our nation's armed services for the past 344 years.

In 1941, Bud volunteered for the Army and went on to earn the Silver Star, Bronze Star and Purple Heart with Oak Leaf Cluster in World War II. After returning from the war, Bud was the founder and organizer of the very Jewish War Veterans Post that will be honoring him.

It is very fitting that this weekend, in which our nation celebrates Memorial Day and the service of those who have served, that we recognize the service of Bud Batlan for his service to our nation and his Post. I offer my congratulations and best wishes to Bud and the new officers of Post 972.

#### DEATH TAX REPEAL

**HON. GEORGE R. NETHERCUTT, JR.**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 22, 1998*

Mr. NETHERCUTT. Mr. Speaker, the death tax is one of the most egregious forms of taxation. Frank A. Blethen, publisher of The Seattle Times, gave a compelling speech on May 14, 1998, on this subject at the Family & Independent Owners Conference in Washington, D.C. I rise today to bring the attention of all Members to Mr. Blethen's remarks, a summary of which follow. After hearing his comments, I urge all Members to support repeal of the death tax.

If repeal of a specific tax would actually decrease the federal budget deficit, wouldn't you think such repeal would be a non-partisan Congressional and White House priority? If repeal that tax would result in saving our country's family-owned businesses, including most minority and female owned businesses, wouldn't you think that such repeal would be the highest priority of every state's Congressional delegation, and every local community's Chamber of Commerce? If Congress had an easy way to create jobs, stimulate the economy and to be the champion of families, wouldn't you think they would jump at the chance? And, if in addition to job growth, the repeal of this tax stimulated other actions that our nation covets like long-term business investment, philanthropy, and saving money, wouldn't you think Congress would jump at the opportunity?

Repeal would turn one of our country's most harmful public policies into a powerful positive public policy overnight. So why isn't Congress jumping at the opportunity? Simply put, too few people understand, or appreciate, the negative economic impact of the Federal Estate Tax. And too few people understand the substantial economic and public benefit, which would come from repeal. Most people, including many family businesses still misperceive the tax as a "benefit for wealthy people" rather than the small and business public policy issue, which it is. Once one examines the facts, it is easy to see that this tax is very poor public policy because it destroys jobs, minority-owned and small businesses.

Once politicians understand the devastating negative impact of the death tax on today's economy and on America's families, their perceptions will change. Smart politicians in both parties will position themselves as champions of families, family businesses and minority businesses. They will stimulate jobs and investment in our local communities while reducing the federal deficit.

We need to create a new, accurate perception, that the death tax is, in fact, a very serious broad-based family and middle class issue as well as an economic and jobs issue. We need to educate people that this tax destroys family businesses, minority owned businesses, jobs, investment, and doesn't even contribute to the federal budget. We need to eliminate the perception that the death tax is a rich person's issue. Everyone has many opportunities to combine education with a grass roots effort.

Death tax repeal will not negatively impact Federal budget revenue. The estate tax generates only 1% of the Federal budget (approx.