

our economy. They do not see lower wages, lower environmental standards, and lower labor standards as a problem; they see them as the solution. We have seen the results in these past 16 years: people suffer, even as profits soar.

Business Week's findings are powerful proof of the challenge we face: raising the standard of living for working families and the middle class.

And I think it is clear that this goal could not be farther from the Republican agenda. Just read the Contract. There is not so much as a nod or wink about real jobs or opportunities.

So it is up to the Members of my party—the Democratic Party—to devise real solutions to this very real national crisis.

IMPORTANCE OF INCREASING CAPITAL FORMATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

Mr. SMITH of Michigan. Madam Speaker, during my 5 minutes I would like to comment on two different areas. One is to report on the testimony before the Committee on the Budget today. Witnesses appearing before the Committee on the Budget stressed the importance of increasing capital formation in this country if we expect to increase our standard of living.

I, and we all, should be particularly concerned, because as we compare what is happening in the United States with other nations around the world, we see that the United States ranks either last or very close to the bottom in terms of the amount of savings. For every take-home dollar, our savings are very low. You compare our 5 percent savings with countries like Japan at almost 19 percent, South Korea at approximately 32 percent, we see that we have encouraged spending and consumption rather than savings that are so important to having capital available for investment.

In comparing the United States with the rest of the world, we also see that the investment in those new tools and machinery per worker is lagging in this country compared to the rest of the world, and not surprisingly, the rate of increase in our productivity is also at nearly the bottom of the list.

I bring this to my colleagues because I think we are tremendously challenged today with a problem of other countries, now that we are past the cold war, doing everything that they can do to attract capital investment. If we want to increase our standard of living in this country, we cannot just look at pretend things like increasing the minimum wage. What we have got to do is look at true improvements in our economy and the true availability of more and better jobs by encouraging businesses to buy that machinery and that equipment and those facilities

that are going to increase the efficiency of those workers, increase the productivity, and ultimately increase their wages and standard of living.

THE ATTORNEY ACCOUNTABILITY ACT

I would like to briefly comment on a second area, and that relates to the passage this afternoon of H.R. 988. I was disappointed that we ended up with only attorneys being able to offer amendments in the limited time period simply because of the rules and precedents that allow the recognition of members of the committee; in this case, essentially all the committee members of the Committee on the Judiciary are attorneys.

The title of the bill that we passed this afternoon was the "Attorney Accountability Act." In fact, this bill as currently written does little to make attorneys accountable. The only part of the bill that does anything to make lawyers accountable for their actions is the change in rule 11, and that change requiring a mandatory penalty for violation of the rule applies only in a small number of cases in which an attorney is actually sanctioned by a judge under rule 11 and, of course, as we heard in much of the testimony, there are very few sanctions, and even when there is a sanction, that attorney-judge has the latitude of not imposing any sanction on the attorney, but simply a sanction, a financial sanction on the client.

Madam Speaker, in conclusion, my amendment would have made an attorney liable for half of any attorney's fee award a client cannot pay. This sanction is not unduly harsh. There can be no award of fees unless: First, a settlement is offered; second, the offer is rejected; and third, the jury returns a verdict less than the offer.

In the few cases in which these conditions are met, the award is limited. First, it is capped at the amount of the offeree's expenses; second, it is limited to the actual costs incurred from the time of the offer through the end of the trial; and third, the judge has discretion to moderate or waive the penalty when it would be manifestly unjust.

These modest steps, it seems to me, should have been necessary if we truly intend to make attorneys accountable.

My amendment would have told lawyers, "This is a court, not a lottery office. You are an officer of this court, and as an officer of this court, you have a responsibility to the court and the other litigants not to waste their time and money, and if you ignore these responsibilities, you can be held liable."

Madam Speaker, I appreciate the opportunity to express these thoughts.

A TRIBUTE TO L.J. "LUD" ANDOLSEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota [Mr. OBERSTAR] is recognized for 5 minutes.

Mr. OBERSTAR. Madam Speaker, earlier today it was my sad, but high personal privilege to offer a tribute to my dear friend, a great Minnesotan, and great American, the Honorable L.J. "Lud" Andolsek, during the Mass of Christian Burial at St. Jane de Chantal Church, Bethesda, MD. Lud served this House of Representatives for over 14 years as administrative assistant to my predecessor, the Honorable John A. Blatnik, and as chief clerk of the House Public Works Committee. It is only fitting and proper, therefore, that his contributions should be acknowledged and appreciated on the floor of this Chamber, which he loved and respected so greatly. Lud passed away last Friday, March 3.

L.J. "LUD" ANDOLSEK—A TRIBUTE

Regina, Kathy, Brendan, Nicholas, Kendall, Don and friends, all. We are gathered in the stark reality that death is not something that happens only in some other family, in some other place. It comes to our families, even to those whom we think indestructible . . . like Lud Andolsek.

It is natural—even necessary—to grieve that never in this life will we again see that beloved face, hear that special voice, feel that unique touch. But, we must also remember that Christ, too, wept at the tomb of Lazarus.

At the moment of death, what matters is not how long the years, but how great they were, how rich the moments, how generous the contribution to the lives of others.

Lud's were great years, as grand, as vital, as vibrant, as expansive as life itself—years lived fully, intensively, joyfully, without looking back over the shoulder, without regrets. Some second thoughts, to be sure, but regrets, never.

Meeting Lud was an unshakable, unforgettable experience. He took hold of you like a force . . . and he also took your measure.

He enjoyed putting on a gruff exterior, hanging signs behind his desk like: "If you think work is fun, stick around and have a helluva good time"; or: "I don't get ulcers, I give them," complete with ferocious art work.

Those who knew him best, though, knew there was a big marshmallow inside. I remember going home to Chisholm, visiting Grandma Oberstar. My grandmother, who, like Lud's parents, had emigrated from Slovenia, talking about Lud, remembering him as a boyhood friend of my father and saying, "He always had such rosy cheeks." I thought about telling Grandma of the thick cigar, the clouds of smoke and, at times, the ashen complexion from incredibly long hours of work and decided that I shouldn't undermine her beautiful, almost cherubic image of "the Commish."

Lud's life was the stuff that makes up the "American Dream." Born to a family like so many others in Minnesota's Iron Range country—poor, but who didn't consider themselves poor—certainly no poverty of spirit, and rising to high public office.

He worked the hard youth of an iron ore miner's family. He was a journalist; goalie and player-coach of his college hockey team—a rarity in those days; National Youth Administration Director for Minnesota; distinguished military service; a brief career with the Veterans Administration; a long stint, through economically tough years with the late Congressman John A. Blatnik and the House Public Works Committee; and then, after decades of serving others, recognition in his own right, for his gifts and