

reason to dedicate this month to the cause of domestic violence is to focus attention on the fact that current programs and facilities are not adequate to help all victims. Nation-wide, two-thirds of the women who seek help at women's shelters are turned away because of a lack of space. Programs that aid victims of domestic violence must be expanded so that all citizens have the opportunity to obtain the services they need to live abuse-free lives. We must not turn away from victims seeking assistance to build better futures safe from abuse.

So far in 1995, 21 children and 9 women have died in incidents of domestic violence in Minnesota. By heightening awareness of domestic violence in communities across the Nation, we can step up efforts to ensure that all Americans live free from incidents of domestic violence.

FORTIETH ANNIVERSARY OF
SYMMES, MAINI & MCKEE

HON. JOSEPH P. KENNEDY II
OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 1995

Mr. KENNEDY of Massachusetts. Mr. Speaker, I rise today to commemorate the 40th anniversary of Symmes, Maini & McKee Associates [SMMA], a multidisciplinary architectural, engineering, and strategic planning resources firm, of Cambridge, MA. During its 40 years of operation, SMMA has designed many facilities for industrial, commercial, and institutional uses, and has distinguished itself by providing a high level of creative design and responsive service. I would like to express my warmest congratulations to everyone at SMMA, who have worked so hard over the years to make the company so successful in recognition of their long standing commitment to excellence.

TRIBUTE TO THE LATE MR. IRV
LEWIN

HON. PETER J. VISCLOSKY
OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 1995

Mr. VISCLOSKY. Mr. Speaker, it is my great honor to rise today to pay tribute to the late Mr. Irv Lewin. On October 27, 1995, the Salvation Army-East Chicago Corps is dedicating the Irv Lewin Fellowship Hall.

Irv served as a board member for the Salvation Army-East Chicago Corps for over 35 years. During a portion of this period, he served as chairman of the board. What is to be dedicated as the Irv Lewin Fellowship Hall is an area for the feeding program sponsored by the Salvation Army. According to the Salvation Army-East Chicago Corps: "Irv gave untiring support to the Salvation Army through unparalleled service and commitment."

Irv, who passed away earlier this year, was a resident of East Chicago for many years. He also resided in Hammond and Highland for a portion of his life. Irv was a graduate of McKinley Grade School and Roosevelt High School, both of East Chicago. Irv then graduated from Indiana University, where he played the clarinet with the Indiana University marching band.

After graduating from college, he served with the U.S. Army in World War II, and, later, became a co-owner of Lewin's Clothing Store in East Chicago with his brother, Ken. In addition, Irv was an educator at Indiana University Northwest in Gary, as well as Calumet College of St. Joseph. However, Irv is probably most well known for his 35 years as a radio commentator for WJOB Radio Center in Hammond. During his career at WJOB, he helped organizations by fulfilling requests from community, nonprofit agencies.

Irv was not only committed to the goals and success of the Salvation Army, but the community as a whole. Irv was a past exalted ruler for the Elks Lodge #981, as well as chairman of the Lake County Polio Foundation and the United Jewish Appeal. Moreover, Irv served as past president for the East Chicago Chamber of Commerce, East Chicago Community Chest, East Chicago Lions Club, East Chicago Board of Education, and the Calumet College of St. Joseph. Irv was a board member of the 1st Bank of Whiting, Katherine House of East Chicago, the American Legion Post #369, and B'nai B'rith. For 13 years, Irv served as the commissioner of higher education for the State of Indiana.

All this dedication proved to be successful as Irv earned the Man of the Year Award from St. Joseph College, a Sagamore of the Wabash from former Governor Orr, and a place in the East Chicago Hall of Fame.

Irv Lewin is survived by his children, Paul and Stuart Lewin, Rosemarie Broach, Carol Bogushi, and Judi Bach, as well as many grandchildren. He rightfully deserves the great honor of having the Irv Lewin Fellowship Hall dedicated to his memory by the Salvation Army-East Chicago Corps. Indiana's First Congressional District has surely benefited from Irv's dedication and commitment to improve the quality of life for all residents of northwest Indiana. Mr. Speaker, I ask you and my other colleagues to join me in commemorating the memory of this great man.

THE PHILANTHROPY PROTECTION
ACT OF 1995

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 1995

Mr. FIELDS of Texas. Mr. Speaker, the funding of hospitals, universities, scholarships, churches, and other organizations that help the needy are under attack. A Federal lawsuit filed in Wichita Falls, TX, is threatening the funding of thousands of these institutions, based, in part, on a misguided argument that the charitable donation programs that they maintain violate the Federal securities laws.

The charitable donation programs that are under attack are maintained by organizations like the Red Cross, the Salvation Army, the Boy Scouts, the Southern Baptist Foundation, and universities all across the country—including my alma mater, Baylor University. These programs have been operated since the 1830's, when the American Bible Society entered into the first planned giving arrangement. They have been a keystone of charitable giving in this country.

Charitable gift annuities and charitable trusts make it possible for donors to make a gift to

a charity—while receiving some of the investment income produced by that gift. The purpose of these programs is simple: they provide a flexible way to help people help others. The people who donate to charities through charitable giving programs such as these are helping to feed an clothe the less fortunate, vaccinate children, care for the sick, and provide education for those who could not otherwise afford it. Every citizen in this country is better off for the hard work of these organizations.

Imagine the Oklahoma bombing tragedy without the American Red Cross. Imagine your own local church or your alma mater closing its doors in financial ruin. It sounds unthinkable, but these are very real possibilities.

The lawsuit in Texas alleges that the charitable trust program operated by the Lutheran Foundation violates the Federal securities laws. This is a flagrant misapplication of the law. The plaintiff in that suit is seeking to have that gift revoked. The plaintiff in the suit is not the donor who gave the donation—rather, she is an heir of the donor. Guess where that money will go if it is revoked—right to the plaintiff—and her lawyer.

Other plaintiff's lawyers are looking at this suit as a huge business opportunity. The judge has been asked to make the suit a class action—which would pave the way for copycat suits against every charitable organization in the country that operates a charitable annuity or charitable trust donation program.

Some organizations have already stopped accepting gifts through their charitable donation pools for fear a class action will send that money right back out the door—into the pockets of plaintiffs and their lawyers.

This abuse of our legal system must be stopped. And today I, together with Chairman BLILEY, am introducing a bill to do exactly that—and make sure that charities and universities and religious organizations will not be vulnerable to further attack.

The Philanthropy Protection Act of 1995 will amend the Federal securities laws to clarify that the provisions of those laws are meant to apply to investment in our capital markets, not to gift-giving. A person seeking to get the best possible return on this investment will go to a brokerage house—not to church.

This legislation is another step forward in our efforts to rid our legal system of needless, expensive, and harmful abuses. The people who give to churches, schools, hospitals, and other worthy causes should not be foiled in their generous efforts to help. At the same time, they should be protected against fraud—and this legislation does exactly that. It does not exempt charities or those who seek donations to charities from the anti-fraud protections of the Federal securities laws.

This summer Senator KAY BAILEY HUTCHISON and Senator CHRIS DODD introduced similar legislation to protect our country's charitable organizations. Governor Bush, of Texas, signed into law a provision that was passed unanimously by both houses of the Texas legislature to accomplish the same goal. And today, Chairman HENRY HYDE, of the House Judiciary Committee, has introduced a bill to prevent the misapplication of the Federal antitrust laws to these charitable efforts.

In this good company, I hope my colleagues in the House will join Chairman BLILEY and me in this important bipartisan effort to protect