can verify that their sponsor does not have outstanding payments due to the government for services rendered. This provision was added as part of making affidavits of support enforceable.

While there is no opposition to making affidavits of support enforceable, this provision places barriers on something as important as naturalization. Naturalization applicants should not be penalized for their sponsors' violation of the law. In addition, this provision does not discern between sponsors who fully intend to settle any outstanding obligation and ''dead beat'' sponsors.

U.S. citizen children of immigrants denied equal benefits: ''Ineligible'' immigrants would be precluded from collecting benefits on behalf of eligible family members. Thus, a U.S. citizen child or disabled person would be precluded from obtaining needed assistance unless that person's mother or father could prove eligible status, or unless the agency would undertake the administrative paperwork and expense of appointing a representative payee who could accept the benefit on behalf of the child.

Denying benefits to U.S. citizen kids because of the immigration status of their parents is a violation of the constitutional right to equal protection. This provision would force counties to find and monitor administrative payees to collect the benefits and distribute them to the children. This would be enormously costly and subject to abuse by unscrupulous payees.

Only affluent Americans allowed to sponsor family members: To sponsor a family member, an American would be required to earn more than 200 percent of the federal poverty level. Sponsors must demonstrate that they have an income above 200% of the poverty level for their family plus the immigrant(s) they seek to sponsor.

This is an anti-family provision that would affect one hundred million Americans. Family reunification would be unattainable for less affluent Americans who would be prevented from sponsoring their spouses and children.

Proposition 187 requirements and INS reporting: With few exceptions, schools, hospitals and others would have an added responsibility of verifying citizenship status of all program participants. *All public, non-profit, and charitable entities* who administer any government funded, means-tested programs would have this responsibility. In addition to needs-based programs, contracts, business loans, and commercial and professional licenses would be subject to the verification requirement. Public hospitals would also have to report the identity of any undocumented immigrant who receives emergency services, and have that status verified by the INS, to obtain reimbursement. In addition, provisions would allow federal, state, and local agencies to report to the INS the immigration status of individuals. Current law prohibits public agencies from exchanging immigration information with INS in order to ensure the integrity of such entities. For example, current law is in place to assure the protection of witnesses who are cooperating with a police or federal investigation.

This provision may discourage private-public partnerships at a time when these partnerships are growing. Charitable entities which feel these requirements are overburdensome may be discouraged from administering community-based programs.

Mandating localities to verify citizenship status and other requirements are federal, unfunded mandates, according to the National Governor's Association, National Conference of State Legislatures, National Association of Counties, U.S. Conference of Mayors, and the National League of Cities. Enforcing immigration laws is a federal responsibility. To comply with these federal regulations, state and local agencies would become *de facto* INS offices.

Primary education Gallegly amendment to Title VI: Rep. Gallegly plans to introduce an amendment on the House floor to allow states to deny primary education to undocumented children. This amendment would attempt to repeal the Supreme Court decision in *Plyler v. Doe* which ruled that undocumented children cannot be denied a public education. This amendment, if enacted, would be unconstitutional in our country's schools.

A TRIBUTE TO EDWARD D. LEWIS

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 29, 1996

Mr. JACOBS. Mr. Speaker, when the opposition likes someone, you know he's a pretty good fellow. Ed Lewis was a strong Democrat, but he was so interesting, so nice, so friendly that very few Republicans in Indiana did less than like him too. He leaves an empty place in the Hoosier State.

[From the Indianapolis Star, Mar. 28, 1996]

EDWARD D. LEWIS WAS ATTORNEY WHO WIELDED POLITICAL CLOUT IN STATE

Edward D. Lewis, 73, Morgantown, an attorney known for his vast political influence in Indiana, died March 26.

He was the confidant and political mentor of Gov. Evan Bayh, was instrumental in appointments and recommendations for offices such as U.S. attorney and the Indiana Gaming Commission, and affected a myriad of other decisions on state business. His reputation included the title ''godfather of judges.''

Mr. Lewis, whose Downtown Indianapolis law office at 501 Indiana Ave. was dubbed the ''Statehouse on the Canal,'' was an attorney for 40 years and a partner in the Lewis and Wagner law firm.

Bayh said in a statement: ''Ed was much more than a friend to me; he was a trusted adviser, a man of great experience and wisdom and someone who I loved.

''His Hoosier roots were deep, his common sense was extraordinary and his loyalty and devotion to the people of our state was unmatched.''

After losing races for Congress and a judgeship in the 1950s, Mr. Lewis confined his political career to being an insider, primarily in Democratic circles. He was closely aligned with former U.S. Sen. R. Vance Hartke, D-Ind.

He held no public or civic positions, and was described in a newspaper article as ''probably the most influential person in state government about whom the least is known.'' And the Butler University journalism graduate did not talk to reporters.

Indiana Senate Finance Chairman Lawrence M. Borst, a Republican, said Mr. Lewis was ''a special friend.'' We did a lot of traveling together and just had a good time.

''He was kind of like a hunk of glue. he had so many people he kept together. He liked people, he loved politics, he loved horses. We have one together now. He probably had as many friends as anybody I've ever known in my life.''

Borst said Mr. Lewis dated to an era when political patronage was a young lawyer's key to survival. Mr. Lewis' first job, while in law school, was as a publicist for the Indiana Highway Department. Later, Borst said, law school friendships with people such as future Marion County Prosecutor Noble Pearcy and others got his legal and political career started.

One of Mr. Lewis' earliest political associations was with Hartke, of whom Borst said. ''When Hartke wanted a new post office or other building in Indiana, he went through Ed Lewis.'' Borst said he and Mr. Lewis were on a western trip when Bayh ran for his first term as governor in 1988, ''he would stop twice a day to call back.''

Another close friend was former Indiana GOP Chairman Rex Early.

''We had common interests, not only in politics. He was a man's man, a veteran of the Second World War and a great storyteller,'' Early recalled. ''His maturity, experience and good political instincts played an important role in a lot of administrations.''

Mr. Lewis, Early said, ''believed in his party and was respected by his party.''

Mr. Lewis was a Navy veteran of World War II, a 1949 graduate of Butler and a 1956 graduate of Indiana University School of Law.

Memorial contributions may be made to Big Brothers & Big Sisters of Brown County, Nashville, or the Harmony School, Bloomington.

Memorial services: pending. Calling: none. G.H. Herrmann Madison Avenue Funeral Home is handling arrangements.

Survivors: wife Dorothy M. Pitt Lewis; children Lance L., Linda L., Lora Lynn Lewis; stepdaughter Paula Lawrence; brother Donald I. Lewis; five grandchildren.

A TRIBUTE TO SEDALIA MIDDLE SCHOOL

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, March 29, 1996

Mr. SKELTON. Mr. Speaker, I rise today to pay tribute to an outstanding educational institution in my district. Sedalia Middle School has been chosen as one of 266 1994–96 Blue Ribbon Schools. After a rigorous and lengthy selection process Sedalia Middle School was selected as one of the most outstanding schools in the country. The award will be presented at a ceremony to be held in Washington, DC, in May. I ask my colleagues to join me in a salute to all of the teachers, parents, and students who worked so hard to achieve this extraordinary accomplishment.

RETIREMENT OF EMIL P. MOSCHELLA FROM THE FBI

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 29, 1996

Mr. DAVIS. Mr. Speaker, I would like to take this brief opportunity to recognize 28 years of dedicated Federal service by my constituent Mr. Emil P. Moschella from Vienna, VA. Today is Mr. Moschella's last day of work as a special agent in the Federal Bureau of Investigation [FBI]. He has dedicated a lifetime career to keeping America safe from crime and has done so in exemplary fashion. He will be dearly missed by his colleagues at the Bureau, and I commend him for a job well done.

Whether he was working the streets of Chicago, touring the country on the inspection and audits staff, working in the Bureau's congressional affairs office, representing the Federal Government in Leon, France, before a

meeting of Interpol about freedom of information and law enforcement, or leading a team of lawyers in counseling the director of the FBI, Mr. Moschella has always performed his duties with dedication, loyalty, and integrity—the hallmarks of his outstanding career.

Mr. Moschella is a second generation Italian-American, who grew up in the Bronx in New York City. He was the first in his family to complete college and law school and he is a dedicated family man with four sons. He started his Federal service with the intention of doing something good for America—using his skill and talent to make his country a better place for all of us. He is the kind of civil servant of whom all Americans can be proud.

Mr. Speaker, on behalf of the House of Representatives and my constituents in the 11th Congressional District of Virginia, I want to thank Emil Moschella for his exceptional career of public service, congratulate him on this special occasion, and wish him all the best in retirement and all his future endeavors.

INTRODUCTION OF HOUSE JOINT RESOLUTION 171

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 29, 1996

Mr. LANTOS. Mr. Speaker, I have introduced in the House today House Joint Resolution 171 which proposes an amendment to the U.S. Constitution to permit the Congress to limit contributions and expenditures in elections for Federal office. This amendment—when it is approved by the requisite two-thirds majority of each house of the Congress and ratified by the legislatures of three-fourths of the States—clarifies that the Congress has the power to set limits on contributions and expenditures in support of, or in opposition to, any candidate for Federal office. This resolution is identical to one introduced earlier this year in the other body by the distinguished Senator from New Jersey [Mr. BRADLEY].

As a result of the U.S. Supreme Court ruling in 1976 in the case of Buckley versus Valeo, restrictions on wealthy individuals using their own money to—in effect—buy a political office have been held to be equivalent to restrictions on free speech. Efforts to restrict the independent expenditures of moneyed special interests for or against a particular candidate have likewise been held to be a restriction on free speech.

Mr. Speaker, my proposed amendment to the Constitution will reverse the ruling of the Supreme Court in Buckley versus Valeo. The effect of the Court's decision in that case was to equate money with free speech. The effect of this amendment is to make clear that money is not speech. In the very appropriate words of Senator BRADLEY, ''A rich man's wallet does not merit the same protection as a poor man's soapbox.''

The time has come, Mr. Speaker, for us to clarify through an amendment to the Constitution that simple possession of money does not mean you have the better argument. Possession of money does not mean you are the better candidate. The time has come for the Congress to have the authority to regulate political expenditures of millionaries—like Ross Perot or Steve Forbes or Michael Huffington in the political arena. In the case of these three men and others who have enjoyed the blessing of wealth, we applaud their ability to make money, we commend their business acumen, and we are delighted, in some cases, for their good fortune in having wealthy parents. At the same time, however, we do not think that any of those qualities entitles them to special access to the marketplace of ideas.

It is essential for the health and well-being of our democracy that the Congress have the ability to assure a level playing field in elections for Federal offices. The amendment to our Constitution that I am introducing today will assure that Congress can assure a level playing field.

One of the fundamental principles that is the basis of our democratic system of Government and our democratic Nation is the principle of freedom of speech.

The fundamental concept is that if all ideas and all points of view are subjected to the same critical scrutiny in the marketplace of ideas, those ideas which are correct and true and superior will win out over those ideas which are inferior and erroneous and false.

Our firm commitment to the principle of freedom of the press in our country flows from this commitment to freedom of speech and freedom of expression. Although, I think, all of us at one time or another have questioned the accuracy or the impartiality or the dispassion of the American news media, all of us are firmly committed to the principle that there must be a free, unfettered press. The multiplicity of free voices of expression is absolutely essential to the functioning of our democratic Government.

In our democratic system, this principle of freedom of expression is a vital component of our process of electing Government officials. Only if there is full and open airing of the ideas for and against and about individual candidates for public office can we know which women and men are best able to represent us as President, Vice President, or as a Member of the Senate or the House.

The fundamental requirement, Mr. Speaker, is that all ideas, that all speech, have reasonably fair and equal access to the market place of ideas—that good ideas and bad ideas and foolish ideas and brilliant ideas have equal access to the American people.

Unfortunately, Mr. Speaker, the greatest threat to the application of the principles of free speech in our electoral process is the distorting effect of money. Under our present laws and the current interpretation of the Constitution and our laws by our Supreme Court, if you have money, your ideas—regardless of how good or bad they may be—have unfair access to the market place of ideas. It is important that we break this link between money and speech—money does not entitle someone to special access. Money is in fact the element which distorts free speech, and by distorting free speech it distorts the full and fair and informed intelligent decisionmaking.

Mr. Speaker, this constitutional amendment does not make the ultimate decision about how campaign financing should be reformed, but it is the essential first step in establishing beyond any doubt that the Congress has the authority to regulate spending on campaigns. I urge my colleagues to join me in cosponsoring this constitutional amendment. This is the vital first step that we must take, and for the future of democracy in our country it is essential that we take it as quickly as possible.

I ask, Mr. Speaker, that the text of House Joint Resolution 171 be placed in the RECORD:

H.J. RES. 171

Proposing an amendment to the Constitution to permit the Congress to limit contributions and expenditures in elections for Federal office.

Resolved by the Senate and House of Representatives of the United States of American in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

''ARTICLE—

''Section 1. The Congress shall have the power to set limits on expenditures made by, in support of, or in opposition to the nomination or election of any person to Federal office.

''Section 2. The Congress shall have the power to set limits on contributions by individuals or entities by, in support of, or in opposition to the nomination or election of any person to Federal office.

''Section 3. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.''.

GUN BAN REPEAL ACT OF 1995

SPEECH OF

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, March 22, 1996

Mr. MENENDEZ. Mr. Speaker, I rise in strong opposition to H.R. 125.

We are voting to repeal a ban on assault weapons and large capacity ammunition clips that is supported overwhelmingly by police who put their lives on the line for us. They call the weapons banned by the 1994 law cop killer guns.

In a recent study by Handgun Control, assault weapons accounted for 17.4 percent of fatal police shootings. In another study, 18.5 percent of the shootings, where the gun was identified, involved a gun with a large-capacity magazine of more than 10 rounds.

This ban has widespread support from the people who care for gunshot victims—doctors, nurses and medical personnel; religious leaders who are trying to end the violence in our communities; the teachers and administrators who are concerned about guns in our schools; responsible gunowners who want to end gun violence; and the children whose very future is put at risk.

The Bureau of Alcohol, Tobacco and Firearms data revealed that although semiautomatic assault weapons comprise less than one percent of the privately owned guns in America, they account for 8.4 percent of all firearms traced to crime from 1988 to 1991.

During 1986–1991, 20,526 assault weapons were traced to crime, and of those, 1,349 were specifically traced to murders in the United States and 4,031 were linked to drug traffickers. The congressional assault weapons ban did not take guns out of the hands of law abiding citizens who legally owned their weapons before the enactment of the assault weapons ban in 1994.