

HOUSE OF REPRESENTATIVES,
COMMITTEE ON COMMERCE,
Washington, DC, February 6, 1997.
Re Docket No. 97-01, 62 FR 1950 (January 14,
1997) Preemption Determination.

Hon. EUGENE A. LUDWIG,
Comptroller of the Currency,
Washington, DC.

DEAR COMPTROLLER LUDWIG: We are writing in response to the above-referenced request for written comments on whether the "Financial Institution Insurance Sales Act," recently enacted by the State of Rhode Island, should be preempted by Section 92 of the National Bank Act.

The Act does not prevent banks from selling insurance. The Rhode Island State legislature passed this Act to remove Rhode Island's statutory ban on the sale of insurance by state-chartered banks. The legislation also is a valid exercise of that State's right to regulate the business of insurance by protecting consumers from unfair trade practices and providing a level playing field for all sellers of insurance products. For example, section 6 of the bill prohibits the illegal tying of the sale of an insurance product to the extension of credit and section 7 of the bill requires disclosure to consumers that an insurance product is not a deposit and is not federally insured. This legislation is the result of extensive negotiations with representatives of Rhode Island's federally-chartered and state-chartered banks.

The public has a substantial interest in the continued functional regulation of insurance by the States, regardless of who is conducting the activities. We support the principles of State's rights, functional regulation, and fair and reasonable consumer protection. We support the Rhode Island law and believe that it meets the standard established by the decision in *Barnett Bank v. Nelson* 116 S.Ct. 1103 (1996).

The Act authorizes the Department of Business Regulation's commissioner of banking to promulgate regulations to implement the sale of insurance under the Act and "to ensure the safety and soundness of the banking and insurance business." Your notice and request for comment makes no mention of the implementing regulations drafted by the Rhode Island Department of Business Regulation and that are pending a February 10, 1997 hearing before that Department and possible further revisions before finalization. As legislators we are outraged at your efforts to usurp the authority and subvert the processes of an elected State legislature that is engaged in valid lawmaking.

We strongly urge you not to act to preempt the Rhode Island Financial Institution Insurance Sales Act.

Sincerely,

John D. Dingell, Tim Holden, Earl Pomeroy, Bobby Rush, Collin C. Peterson, David Minge, Edward J. Markey, John S. Tanner, Gary Condit, Ron Klink, Anna G. Eshoo, Gene Green.

NATIONAL ORGANIZATION OF
WOMEN HONORS SEVEN

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1997

Mrs. LOWEY. Mr. Speaker, I rise to honor the accomplishments of seven outstanding women who exemplify the best that the legal profession has to offer. These women will be honored next week by the New York City National Organization for Women because they

have displayed the intelligence and perseverance that is absolutely essential to be a successful attorney, and possess an unwavering dedication to advancing the rights of women in society.

Janet Benshoof is one of the premier experts on reproductive rights and privacy law in America. As the founder and president of the Center for Reproductive Law and Policy, she had been involved in most of the landmark Supreme Court cases involving reproductive rights. Ms. Benshoof had been previously honored by the MacArthur Foundation Fellowship and by the National Law Journal as 1 of the 100 most influential lawyers in America.

Sylvia Law is the Elizabeth Dollard professor of law, medicine and psychiatry and co-director of the Arthur Garfield Hays Program at New York University Law School. She has been involved with many landmark cases, including Goldberg versus Kelly, in which the Supreme Court recognized that welfare is an entitlement that cannot be discontinued without reason or an opportunity to protest. She is also the author of several books and articles on jurisprudence, welfare, and health care policy.

Donna Lieberman is founder and director of the New York Civil Liberties Union's reproductive rights project, and one of the leaders of the New York pro-choice movement. She has broadened the base of the reproductive rights movement, linking reproductive rights with the issues of HIV/AIDS prevention, gender equity, and education.

Elizabeth Mason has gained national recognition in her representation of victims of sexual harassment and violence in the workplace. Elizabeth has been instrumental in drafting legislation to guarantee an employee's right to seek relief against an employer if she is sexually assaulted in the workplace.

Valorie Vodjik argued the groundbreaking Supreme Court decision that overturned the 152-year-old male-only admission policy at the Citadel. In that case she won the opportunity for women to obtain an undergraduate, military-style education. Ms. Vodjik is an expert on sexual discrimination and supervised the NYU sexual harassment law clinic.

As the U.S. attorney for the southern district of New York, Mary Jo White is a preeminent role model for women. Under her leadership, the U.S. attorney's office has prosecuted large-scale securities and financial frauds, other white collar offenses, international terrorism, money laundering, official corruption, organized crime, and drug trafficking. Her leadership has led to the dismantling of some of the largest and most violent gangs in New York.

Patricia J. Williams is an internationally renowned expert on race relations and women's studies. She is a professor at the Columbia University School of Law and the author of a number of books, including "The Alchemy of Race and Rights: Diary of a Law Professor." She wrote an amicus brief in support of planned parenthood in the Supreme Court case of Planned Parenthood versus Casey.

Mr. Speaker, these seven women together have changed the course of the women's rights movement in America. Almost every woman in America has benefited from their actions. I am truly honored to recognize their accomplishments in the U.S. House of Representatives.

HONORING THE TRI-STATE CHRISTIAN DAY CARE AND PRESCHOOL CENTER

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1997

Mr. NEY. Mr. Speaker, I rise today to recognize the Tri-State Christian Day Care and Preschool Center in St. Clairsville, OH, on the occasion of their first child care appreciation ceremony as part of National Child Care Week in March.

The teachers and child care providers, under the direction of Pastor E. Keith Stevens and Administrator Connie Patton, are dedicated to providing a caring, learning environment for the many children who attend the Tri-State Christian Day Care Center. Today, there are many demands and responsibilities parents must balance while raising their children, and it is often necessary for both mothers and fathers to work to support their homes and their families. It is comforting for parents to know that their children are safe and being cared for by dedicated teachers, volunteers, and aides.

The Tri-State Christian Day Care and Preschool Center plays an important role in the lives of their students and the children who attend their day care center. The teachers and volunteers at Tri-State share a commitment to the child care ministry and to teaching God's word to the children who attend the day care and preschool center. As a parent, I am thankful that there are facilities like Tri-State Christian Day Care and Preschool Center which provide this important service to families and children.

I would like to thank the Tri-State Christian Day Care and Preschool Center for inviting me to attend their first child care appreciation ceremony and see the excellent services they provide for Ohio Valley families. I ask my colleagues to join me in recognizing Tri-State, and child care centers like Tri-State, that are helping families by providing a caring atmosphere for children to learn and grow. I wish them continued success.

IS COSCO STRATEGIC THREAT

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1997

Mr. SOLOMON. Mr. Speaker, does the possible presence of the Chinese Ocean Shipping Co. [Cosco] in an American port represent a strategic threat to United States interests?

That is what I've asked Navy Secretary John Dalton to determine. Given the efforts of the People's Republic of China to manipulate American elections, given the PRC's success in securing ports on both sides of the Panama Canal, given the continued absences of human rights in China and the continued trade deficits we face with that country, I believe it is a fair question and one that we are obliged to ask as Members of Congress.

I place in today's RECORD a recent Washington Times story explaining, if such an explanation were necessary, why America should be concerned with the proposal to give