

Families from my district have not gone unscathed by this tragedy. They suffer the pains of loss, and experience the anguish of uncertainty. William Charles Shinn from Woodland and Jerry M. Shriver from Sacramento are still unaccounted for. The status of the Hill family's father remains a mystery. We join in their families' anxiety of not knowing.

Today, my community also celebrates for the men and women who have returned. Soldiers like Michael O'Conner who was flying a UH-1 helicopter in February 1968, when he was shot down north of Hue. His three other crew members were killed. After evading capture for nearly 2 days, he was captured and held in captivity for 5 years.

Therefore, it is with this mix of sadness, joy, and apprehension, that our Nation's Capitol, the White House, the Department of State, Defense, and Veterans Affairs, the Selective System Headquarters, the Vietnam Veterans Memorial, the Korean War Veterans Memorial and national cemeteries across the Nation will raise the flag of the National League of Families of American Prisoners of War and Missing in Southeast Asia. May this black and white banner serve as a somber reminder of all those lost; a rejoicing reminder of those returned; and, a flicker of hope for the men and women whom we await their homecoming.

IN RECOGNITION OF THE 75TH ANNIVERSARY OF ST. LUKE CHURCH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 1997

Mr. KUCINICH. Mr. Speaker, I rise today to announce the 75th anniversary of St. Luke Church in Lakewood, OH. In 1922, Bishop Joseph Schrembs established the parish of St. Luke, the Evangelist.

Lacking suitable facilities in which to hold mass, a large tent was erected on the grounds of a nearby convent where Sunday masses were held. The parishioners continued to have services under the tent for 2½ months. Even though they had numerous weather problems, especially during the bitter cold winter, the determination of Fr. Nolan, the parishioners, and a group of Charity nuns was all that was needed to build the tent back up whenever it fell.

On August 24, 1922, a contract was signed to build a frame church. Fr. Nolan's prayers for a permanent church structure were answered. In 1928, it became not only a place for worship but also a place for education when a school was built around the church.

By 1950, it was apparent that larger facilities were needed to accommodate the growing St. Luke community. A new church was constructed in 13 months with much of the materials coming from Ireland, Germany, France, and Italy. The church was again remodeled in 1984. An addition was constructed on one side of the church enlarging the priests' sacristy. Improvements were made in the school as well, where a library and media center were added.

The Church of St. Luke, the Evangelist has come a long way from its humble beginnings in a tent in a field. St. Luke has grown to be a place for education, worship, and community

involvement over the past 75 years, and I wish the congregation continued success in the future.

HONORING THE ANNIVERSARY OF THE DRAFTING OF THE CONSTITUTION

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 1997

Mr. GORDON. Mr. Speaker, I rise today to call special attention to the Constitution of the United States of America. This treasured document serves as the guardian of our liberties and is a product of reflection and choice—embodying the principles of limited government in a Republic dedicated to rule by law, and not by men.

Abraham Lincoln once called the Constitution, "The only safeguard of our liberties * * *." I strongly concur. Therefore, it is important to recognize that September 17, 1997, marks the 210th anniversary of the drafting of this historic landmark by the 1787 Constitutional Convention.

It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary—as well as to the patriotic celebrations which will commemorate this grand occasion. Public law guarantees the issuing of a proclamation each year by the President of this great country designating September 17 through 23 as Constitution Week.

In observance of this important national occasion, I ask my fellow citizens to reaffirm the ideals put forth by the Framers of the Constitution over 200 years ago. Only through vigilantly protecting the freedoms guaranteed to us through the Constitution, can we offer future generations the same great inheritance of freedom we currently possess.

THE RESPONSIBLE BORROWER PROTECTION BANKRUPTCY ACT

HON. BILL MCCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 1997

Mr. MCCOLLUM. Mr. Speaker, today I am introducing the Responsible Borrower Protection Bankruptcy Act. I am pleased to be joined by my colleague, Mr. BOUCHER. Attached to my statement is a detailed section by section explanation of the legislation.

It has become clear that reform of the existing bankruptcy system is sorely needed as our Nation witnesses an unsustainable epidemic of personal bankruptcies. Bankruptcies have increased over 400 percent since 1980. It is estimated that consumer bankruptcies will rise by over 20 percent in 1997. Last year, for the first time ever, there were more than 1 million filings. This year, that figure is expected to rise to 1.4 million filings, more than one bankruptcy in every 100 American households. This rate of increase is occurring not in the midst of a recession, but during what are by all accounts good economic times. From 1986 to 1996, real per capita annual disposable income grew by over 13 percent but personal bankruptcies more than doubled.

Bankruptcy will cost our Nation \$40 billion in 1997 alone. That translates into over \$400 per household in higher costs for goods, services, and credit. That \$400 could buy every American family of four: 5 weeks of groceries, 20 tanks of unleaded gasoline, 10 pairs of shoes for the average grade-school child or more than 1 year's worth of disposable diapers.

Our Nation's bankruptcy laws play an important and necessary role in our society but we must ensure that our bankruptcy system does not unintentionally encourage those who can take responsibility for their financial obligations not to do so. Such an abuse of our bankruptcy laws is fundamentally unfair to those who play by the rules and take responsibility for their personal obligations. It has been estimated that 15 responsible borrowers are needed to cover the cost of a single bankruptcy.

The Responsible Borrower Protection Bankruptcy Act fundamentally reforms the existing bankruptcy system into a needs-based system. Only those who truly cannot repay their debts will be able to use the complete bankruptcy in chapter 7 of the Bankruptcy Code. Those who can repay their debts will have to use chapter 13 and work out a payment plan. Those who make less than 75 percent of the national median family income for a family of equal size will be presumed unable to repay their debts and may file complete bankruptcy. But those who make more than 75 percent of the national median family income for a family of equal size and, under a formula, are determined to be able to pay \$50 per month toward debt reduction of at least 20 percent of their unsecured, non-priority debt over 5 years may only file in chapter 13 and repay their debt over time.

This needs-based reform is intended to address a flaw in the bankruptcy system that encourages people to file for bankruptcy and walk away from debts, regardless of whether they are able to repay any portion of what they owe. Bankruptcy was never meant to be used as a financial planning tool or for mere convenience but it no longer carries with it the social stigma it did 20 years ago and these bankruptcies of convenience are driving the enormous increase in bankruptcies. Bankruptcy is becoming a first stop rather than a last resort.

The Responsible Borrower Protection Bankruptcy Act also makes reforms to reduce repeat filings and to prevent the gaming of the bankruptcy system, such as running up credit bills right before filing for bankruptcy or filing and dismissing a bankruptcy case as a stalling tactic. In addition, there are provisions to improve the efficient administration of bankruptcy cases, to increase oversight and to provide debtors with information about alternatives to bankruptcy, such as credit counseling services.

By ensuring that our bankruptcy laws are not abused, we also ensure that bankruptcy remains a viable last resort for those who have tried to pay their debts but were driven by circumstances to ask for judicial intervention into their personal finances. If we do not reform the system and stem the explosion in bankruptcy filings caused by bankruptcies of convenience, the cost of credit will inevitably increase while its availability will begin to decrease. Such a tightening of credit will especially impact the working poor. In addition, these reforms will protect those responsible borrowers who meet their financial obligations