

of 1968, which prohibited discrimination in credit practices. The ESBOA requires the contractor to notify the applicant of the action taken on his or her application within 20 days of receipt of a completed bond application. If the applicant is denied bonding, the surety would also be required, upon request, to provide a written statement of specific reasons for each denied request. Furthermore, the bill would provide civil liability in the form of damages and appropriate equitable relief should a surety company fail to comply with this notice requirement.

This legislation would help all contractors to have a better understanding of the reasons behind the denial of their bond applications. Furthermore, the importance of civil penalties cannot be understated for minority applicants who currently have no recourse when they suspect that the denial of surety bonding was based on considerations such as gender, race, or religion.

The disclosure of pertinent information to rejected applicants is an equitable principle familiar throughout the Federal acquisition process. This is the case when a small business is turned down for a government contract and has the opportunity to demand a negative pre-award survey. With this information, the business can contest the award or use the information to be better prepared for the next award competition. The more a business knows about what is wrong with its proposal, the greater the likelihood that the next time the business will submit a better and more competitive proposal.

According to the National Association of Minority Contractors [NAMC], many minority contractors reported being turned down for a bond without an explanation. When explanations are not proffered, a perception of discrimination in the surety industry is created. This perception drives minority contractors to obtain sureties outside the mainstream, often at significant additional expense and fewer protections, placing themselves, their subcontractors, and the government at greater risk.

Civil penalties in this bill are necessary to compel surety bond companies to provide accurate and nondiscriminatory reasons for denial of surety bonding. This bill will provide the applicant with the necessary civil remedy should the surety bonding company refuse to provide this important information. In addition to providing essential information for future bond applications, a clear response will identify whether surety bonding companies are discriminatory or using fallacious criteria in making these decisions.

This legislation will create an environment in which small business firms, particularly those owned and controlled by minorities and women, can successfully obtain adequate surety bonding. This legislation will enable us to ferret out continuing biases in the industry. I urge my colleagues to support this bill and help abolish the artificial impediments to the development and survival of emerging small businesses.

TRIBUTE TO CALIFORNIA
LUTHERAN UNIVERSITY

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 25, 1997

Mr. SHERMAN. Mr. Speaker, I rise before you today to acknowledge the students, faculty and administration at California Lutheran University. This university was recently commended by the John Templeton Foundation in the 1997–1998 Honor Roll for Character Building Colleges.

A panel of six distinguished individuals from various backgrounds evaluated colleges and universities across the country. They used five criteria to determine if the colleges were providing students not only with an environment which allowed them to develop a strong sense of morality and grow spiritually, but also provided students with an opportunity to give back to their community. To be considered for a place on the honor roll, colleges must inspire students to develop and strengthen their moral and reasoning skills, encourage spiritual growth and moral values, provide community building experiences, advocate a drug-free lifestyle and conduct a critical assessment of character-building projects and activities.

The words on the seal of California Lutheran University read "Love of Christ, Truth and Freedom." The faculty at CLU have worked to establish an environment which allows students to reflect on ethical questions and develop their own sense of morality. Christian tradition plays a central role in the students' lives and they are provided with opportunities to attend services, bible studies and social ministry programs. Additionally, students join efforts with faculty and staff to enrich the lives of those less fortunate in the community by working with developmentally disabled individuals, providing clothes for needy children and tutoring disadvantaged minority students.

Leon Blum once wrote, "Life does not give itself to one who tries to keep all its advantages at once. I have often thought morality may perhaps consist solely in the courage of making a choice." Students at California Lutheran University have made a choice that they are willing to make a difference in our community. In making this choice the students have made the welfare of others their top priority.

Mr. Speaker, distinguished colleagues, please join me honoring the students and faculty at this exceptional institution for their integrity of character and commitment to improving the circumstances of those less fortunate in our community.

CARMEN FRANCO TRIMINO'S
HEART IS STILL IN CUBA

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 25, 1997

Mr. TORRES. Mr. Speaker, there is no subject which when brought to this floor invokes more passion and hostility than the question of United States-Cuban policy. My colleagues who support the current United States policy of embargo, vehemently denounce any effort

to improve relations between our two nations, until and unless the current President of Cuba departs. Those advocating alternative policies and new relationships with the people and the Government of Cuba, have to face having their integrity, patriotism, and intelligence called into question. My colleagues who defend the current United States policy toward Cuba are loyal and persistent defenders of their beliefs, and yet the anger and fury which they invoke, many times prevents and inhibits an open and free discussion of this important national policy issue. I believe that this institution and this country desperately need an honest, open and fair discussion on the goals, achievements, and impact of our current policy of embargo. As a contribution to this end, I wish to enter into the RECORD, a recently published editorial from the Arizona Republic. This article tells a story about one woman's crusade to bring change, heart, and humanity to our country's policy toward Cuba. Its subject is Carmen Franco Trimino, a successful entrepreneur, whose steel plating and powder coating business has operations in both Arizona and southern California. She is in Washington today, trying to win over some hard hearts in the United States Congress, seeking support for a bill which I introduced, H.R. 1951, the Cuban Humanitarian Trade Act of 1997, which would permit United States trade with Cuba in the areas of foods, medicine, and medical supplies. I urge my colleagues to read Ms. Trimino's story, and I commend her for her valiant and tireless efforts on behalf of both the Cuban and the American people. I would leave my colleagues with a question to ponder which Ms. Trimino raises: "Does our hatred for Castro and his Communist system so blind us that we are willing to allow a humanitarian tragedy of immense proportions to unfold 90 miles off our shores, just in hopes it will overthrow him?"

Mr. Speaker, I believe that the United States is capable of a more enlightened, more humanitarian, more just policy toward the people of Cuba. I urge my colleagues to revisit this issue by reading the following story about Ms. Trimino, and then I urge my colleagues to join with me, and 69 other Members of the House of Representatives, in removing from United States policy the restriction over the sales of foods and medicine to Cuba.

[From the Arizona Republic, Aug. 17, 1997]

U.S. SANCTIONS ARE CRIPPLING HEALTH CARE—PEOPLE, NOT CASTRO, FEEL EFFECTS

(By James Hill)

It has been years since Carmen Franco Trimino moved body and soul to the United States. But her heart is still in Cuba.

A successful entrepreneur, whose steel plating and powder coating business has operations in both Arizona and Southern California, Trimino now devotes much of her time and seemingly all of her energies to win over some pretty hard hearts in the U.S. Congress on an issue that is breaking hers: the part of the U.S. economic embargo against Fidel Castro's regime that has essentially cut off the importation of foods and medicines into her native land.

She's not winning, yet. But she's not losing, either.

This summer, her lobbying paid off when 12 members of the House of Representatives, ranging along the ideological spectrum from Democrats Esteban Torres of California and Charles Rangel of New York to Republicans Jim Leach of Iowa and Ron Paul of Texas, agreed to sponsor a bill that would specifically exempt food and medicines from the