

played or their composers. As a result, the musicians' appreciation for the music is heightened and their performances are elevated to new levels.

Mr. McClimon has led the Scotia Band in performances at a variety of community functions throughout Humboldt County in the last twenty-five years. Some of these events include the Humboldt County Fair, the Rio Dell Little League Parade, the Fortuna Bicentennial, the Ferndale Repertory Theater, high school graduation ceremonies, and memorial services for civic leaders. The band is clearly a visible presence in all aspects of social life in Humboldt County.

As Director of the Scotia Band, Mr. McClimon has maintained its tradition of excellence in musical service. He is a patient and gifted teacher while continuously holding the band members to high standards. Mr. McClimon personifies an excerpt from the 50th Anniversary celebration of the Scotia Band in 1985: "For 50 years the Scotia Band has served Humboldt County communities. This spirit of dedicated public service enriches all those whose lives are touched. The band symbolizes the ideals and traditions that have made America great."

Mr. Speaker, it is appropriate at this time that we recognize Michael McClimon, for he, too, symbolizes the ideals and traditions that have made America great. He deserves to be honored today, for he has tirelessly and unselfishly served the members of the Scotia Band and the citizens of Humboldt County for twenty-five years.

THE AMERICAN HOME BUYERS
PROTECTION ACT, H.R. 5033

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 14, 2000

Mr. GONZALEZ. Mr. Speaker, on July 27, I introduced the American Home Buyers Protection Act, H.R. 5033. This bill will make much needed reforms in the practice of including mandatory arbitration clauses in homebuilding purchase contracts.

Mr. Speaker as you may know, mandatory arbitration clauses are now ubiquitous in consumer contracts. These clauses deny consumers the opportunity to go to court to seek redress for damage or harm from a product or service. Many of these clauses typically name a private arbitration service. This creates a potential conflict of interest for a private arbitrator that both must neutrally assess the merits of a case while simultaneously profiting from the continual referral of cases from a particular industry. This is a situation that I believe demands immediate redress by Congress.

Mr. Speaker, I do not believe arbitration clauses are per se bad. As a former state district judge, I took the lead in bringing alternative dispute resolution mechanisms to the civil courtrooms of my hometown of San Antonio. But, I do believe that it is wrong to impose these clauses without the knowledge and prior approval of consumers. I strongly believe that alternative dispute resolution clauses must be mutually agreed to and contain plain language descriptions of their effects. In addition, I do not believe that these clauses should be imposed on consumers as a condition precedent

for entering into a commercial contract, and that the naming of arbitrator must be mutually agreed to by both parties.

The homebuilding industry in particular, I believe, has used mandatory arbitration clauses in an excessive and harmful manner. For most families, a purchase of a home is the largest single investment they will make. It is frequently the largest asset they will ever own. Mandatory arbitration agreements which allow homebuilders to avoid court analysis of their building practices has allowed numerous homebuilders to escape the consequences of shoddy workmanship and construction. I have personally seen several homes in San Antonio that were negligently and poorly constructed, inflicting serious financial harm on the families that purchased these homes.

My bill the American Home Buyers Protection Act, will make the following reforms to the mandatory arbitration process as it regards homebuilding purchase contracts:

1. It will make it illegal for homebuilders to require agreement to a mandatory arbitration agreement as a condition precedent to entering into a contract for the purchase of a new house.

2. It will require mandatory arbitration agreements to be contained on a separate document from the underlying contract and to possess the following plain language statement: "By Agreeing to Binding Arbitration You Are Giving Up Your Right To Go To Court."

3. It will require mandatory arbitration agreements to contain a procedure that adequately guarantees the purchaser an opportunity to participate in the selection of an arbitrator, and shall require that the selection of the arbitrator may only occur after a dispute regarding the homebuilding contract has arisen.

Mr. Speaker I believe the reforms in The American Home Buyers Protection Act are a good first step towards alleviating the abuse of alternative dispute resolution procedures by homebuilders. I believe that it is time that Congress take action now to protect American families from arbitration procedures that will deny them adequate protection of their most important purchase, their home.

HONORING THE 50TH ANNIVERSARY
OF NORMAN AND ANN MALONE

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 14, 2000

Mr. BENTSEN. Mr. Speaker, I am pleased to congratulate Mayor Norman Malone and his wife Ann Malone of La Porte, Texas, as they celebrate their 50th wedding anniversary on September 15, 2000. Throughout their lives, Norman and Ann have provided tremendous examples of public service, contributing unselfishly to numerous causes while raising a fine family.

Ann and Norman are native Texans who have an abiding love for their state and community.

Ann was only 16 years old when she met 20-year-old Navy man Norman Malone at a party in Denver Harbor, a subdivision of Houston, Texas. They were married on September 15, 1950 at Ann's Mother's house in Houston by the Presbyterian minister from her church.

The young couple honeymooned in San Antonio, Texas.

Norman was born in Marlin, Texas. He served his country in the U.S. Navy for 4 years as Gunner's Mate, and graduated with a B.S. from the University of Houston in 1952. He received his Masters' in Education in 1953. He also attended San Jacinto College, University of Texas, A&M University and Prairie View A&M. While in school he was a hard-working man of many talents, earning money as a bus driver, butcher, a carpenter, a chemical operator. After school he worked 11 years at Shell Chemical. He retired after 30 years from the Pasadena Independent School system and as a Vocational Director for 17 years.

As Mayor, Norman Malone has reached out to the people of La Porte, not only through his elected office, but through grassroots community projects as well. While most people know him as "Mayor," many also know him as "Normy" the Shriner Clown, who is very involved with the Masons.

Ann is a painter and a genealogist, who is known for being multi-talented. She has taught school in La Porte and Pasadena, Texas, and has worked as a librarian. She has owned a gift shop, dress shop, and tearoom.

The Malone family has deep roots in La Porte, having lived there now for 41 years. The Malone's contributions to the community are many. Over their years, Ann and Norman have instilled their values and generosity in their children and grandchildren. Ann and Norman raised 3 beautiful children, who all graduated from La Porte High School—daughter Georgia and sons Scott and Todd. Ann and Norman's grandchildren are: Jennifer, Jessica, Meghan, and Charlie.

Mr. Speaker, I am honored to recognize Ann and Norman Malone on the occasion of their 50th wedding anniversary and commend them on a lifetime of achievement. Their commitment not only to one another, but to others as well, is an example for all of us. May the coming years bring good health, happiness, and time to enjoy their children and grandchildren. On this joyous occasion, I am pleased to join their family, friends, and community in saying congratulations and thank you.

REPORT OF THE NORTHEAST-MIDWEST
CONGRESSIONAL COALITION

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 14, 2000

Mr. DOYLE. Mr. Speaker, today I apprise members of the House of issues that were raised during the May 5th Northeast-Midwest Congressional Coalition field hearing I chaired in Pittsburgh. This field hearing examined the future of the U.S. Steel and the role of Technology, and was held in conjunction with the U.S. Department of Energy, Office of Industrial Technologies Steel Showcase. I, along with Representative KLINK, Representative MASCARA, and Senator SANTORUM, gathered testimony from steel company executives and their partners regarding initiatives designed to increase the competitiveness of U.S. steel makers by developing advanced technologies for steel production. For the record, I am including