

TRAIN WHISTLES TO DISRUPT MILLIONS OF LIVES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

Mr. LIPINSKI. Mr. Speaker, I rise tonight to highlight a serious problem that all of America will soon experience. As early as next January, thousands of cities, towns, villages, and hamlets will be deafened by the wail of a train whistle. That is right, if the Federal Railroad Administration's proposed rule on the sounding of locomotive horns at every highway crossing goes into effect as planned, the ear-splitting sounds of train whistles will wake people at night and generally disrupt people's lives.

Unfortunately, few Members of Congress know about the problem that confronts us. As mandated by the Swift Rail Act of 1994, the FRA came up with rules on train horns, and in January the FRA came out with a proposed rule.

While I understand that the rule is intended to save people's lives, the way in which the rule was written will severely impact millions of people in a negative way. For instance, although the FRA states that over 74,000 people in Illinois currently living near a crossing that does not allow whistle-blowing will be severely impacted by this rule, in reality, according to the Chicago Area Transportation Study, 2.5 million residents in Illinois live within one quarter mile of a crossing, and would be severely impacted.

This is a tremendous number of people that will be impacted by train whistles that range from 92 decibels to 144 decibels, an unhealthy level that rises above the threshold of pain.

So what can be done about this rule? I and other Members of the Illinois delegation could argue that Illinois, and specifically Chicago, should have an exception from the FRA's rule because Illinois has done a good job in reducing accidents at crossings.

In northeastern Illinois, injuries have declined by 70 percent and fatalities have declined by 65 percent since 1988. During the same period of time, the number of incidents dropped. Train traffic and average motor vehicle miles have both increased by 45 percent. Clearly, Illinois has been doing a good job with a tough assignment, and they should be allowed to continue with their rail safety program.

But what if this rule does go into effect? In order to avoid the disruption of the whistles, money is needed to implement alternatives to whistle blowing, money that local communities do not have. The FRA estimates costs of \$116 million for whistle ban communities based on assumptions that every community will install the lowest-cost alternative to whistles.

The Chicago Area Transportation Study estimates the cost of reality-based alternatives to be between \$440 million and \$590 million for whistle ban

communities across the Nation. This is a huge amount of money that our local communities simply do not have, and they will turn to their Congressmen to help them find the funding.

So I say to my colleagues, join me and others in finding a solution that is available to everyone. Let us work on this rule so crossings could be made safer and so people can go along with their lives in a livable manner.

At the very least, let us increase the amount of money going to grade crossings by passing my rail safety bill, H.R. 2060, that will double the amount of money that DOT gives to States for grade crossing safety. Because when next January rolls around, we had better be prepared for the train that is coming down the track for all of us.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. NORWOOD) is recognized for 5 minutes.

(Mr. NORWOOD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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THE NAVY'S MANIPULATIVE USE OF PREVAILING WAGES ON GUAM FOR THE PWC BOS CON- TRACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Guam (Mr. UNDERWOOD) is recognized for 5 minutes.

Mr. UNDERWOOD. Mr. Speaker, I speak again on the issue of the implementation of a commercial study, the A-76 program, which basically is designed to outsource a number of jobs in my home island of Guam.

I rise again to point out some very serious difficulties with this process, and point out to the Members and especially the Members of the Committee on Armed Services that these kinds of problems which we are experiencing in Guam will inevitably be experienced by everyone as they undergo this A-76 process.

Yesterday on Guam, Raytheon Technical Services commenced their contract with the U.S. Navy for base operation support functions. Approximately 800 Federal civil service workers were laid off, and most of them were immediately rehired by Raytheon under the so-called right of first refusal to perform the very same jobs as they did last week, only they will be paid a salary of 40 to 60 percent less.

The Navy has told us that the wages that the contractor is required to pay are based on a "prevailing wage determination," as is calculated by the U.S. Department of Labor. These are calculated by a prevailing wage survey. This survey is a composite of job-specific wage rates by industry in a particular community. They do not, however, account for the price of local consumer goods and foodstuffs which must be purchased in order to survive in that community, so Federal jobs also include a cost-of-living allowance that makes up this difference.

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The private contractor is not required to pay this. In attempting to comprehend the situation on Guam between the high cost of consumables and the depressed prevailing wage rates, we spoke with the Prevailing Wage section of the Guam Department of Labor. We were informed that the Guam Department of Labor is responsible for the wage determination for foreign laborers under the H-2 program and is based on survey results done on Guam and reflective of local conditions.

Furthermore, the Guam Department of Labor noted that the wages established as a result of these surveys have complied with the requirements of the Davis-Bacon Act. The Guam Department of Labor is aware that the Navy contract with Raytheon is neither in line with Guam Department of Labor prevailing wage, nor mainland wage standards. Guam DOL has said that the wage survey for the Navy contract was not done on island and thus questions the survey's methodology.

Mr. Speaker, the question now begs where did the Navy get this wage data from? Well, one conclusion that we can draw from these depressed wages is that they pick the lowest possible salaries as determined from a whole range of areas of unofficial wage-study areas.

Now, I provide an example. We will use a real live Raytheon job offer against similar positions on Guam, using the Guam DOL prevailing wage survey, again a survey that is done under U.S. DOL supervision and is intended for foreign workers. For administration and accounting services, under the Navy service contract an accounting clerk is now being offered a wage of \$5.80 an hour, compared with the Guam prevailing wage rate of \$8.48 an hour. For a data entry operator, Raytheon has offered \$11.86 an hour versus the Guam prevailing wage of \$13.25 an hour.

Mr. Speaker, this is outrageous. Not only does it seem that the Navy was utilizing faulty data of an unknown source, but the Navy is taking advantage of the fact that the U.S. Department of Labor does not have sufficient oversight capabilities to enforce the requirements made on the Navy under the Services Contracting Act.

In fact, under the provisions of the Services Contracting Act, the Navy is required to request the U.S. Department of Labor to conduct a wage determination by filing a notice with the U.S. DOL for such a survey, and I believe that the U.S. Navy has violated this requirement and thus created an environment whereby wage busting could occur.

Let me just summarize here. What has happened on Guam has happened in other communities, perhaps unbeknownst to those communities, and will continue to happen, and that is if the Navy is allowed to compute their own prevailing wages apart from the actual wages in that community, they will continue to not only pay the people less than they would have under