UNFUNDED MANDATE REFORM ACT OF 1995

SPEECH OF

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 30, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5) to curb the practice of imposing unfunded Federal mandates on States and local governments, to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations, and to provide information on the cost of Federal mandates on the private sector, and for other purposes.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise in strong support of the Vento amendment to H.R. 5 which will ensure that the Unfunded Mandates Reform Act will not apply to laws and regulations that involve life-threatening public health and safety measures.

The amendment clearly recognizes the Federal Government's steadfast responsibility in protecting the health and safety of the American public. If we ignore this responsibility, the result will be devastating.

If the act passes without the Vento amendment, landfills, incinerators, hazardous waste dumps, toxic waste storage facilities, and manufacturers could pollute our air and our water unchecked by oversight of the Federal Government. This rampant pollution will have a severe negative impact on the health of the American public.

Children, the elderly and those with weakened immune systems are especially vulnerable to diseases caused by environmental pollution.

Many respiratory diseases and several forms of cancer are directly attributable to environmental causes.

These polluting facilities are disproportionately likely to be located in low-income and minority communities.

Currently, dust from a concrete recycling plant in the city of Huntington Park in my district is polluting that community's air and water.

Both the local rate of respiratory infection and of asthma in children have risen alarmingly since the plant began operation.

The citizens of that community are now turning to the government for assistance and protection against this threat to their health.

The industry assumption is that people living in these communities are politically weak and so consumed by the daily grind of making a living that they will not have the resources to organize against these facilities, as people in upper income communities tend to do.

Unfortunately, this assumption is firmly grounded in the reality of many communities throughout our country.

The Federal Government must not abandon its role in protecting the health of all Americans, particularly the most vulnerable in our country.

As Representatives of our respective communities, we have a clear obligation to protect the health and safety of the American people.

If we abandon it now, we may cause damage to future generations before our mistake can be corrected.

I urge the passage of the Vento amendment.

MR. HSU'S MEETING

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1995

Mr. BURTON of Indiana. Mr. Speaker, in every advanced society, regulation of the airways and the electronic media is both a necessity and a recognized duty of government. In the United States, we have long believed that the airways belong to the public. Therefore, the United States licenses frequency assignments in each market. Section 301 of the Communications Act of 1934 clearly states that no one may operate a radio, television, or other wireless transmission facility without a license from the Federal Communications Commission. This law was enacted to prevent several parties from attempting to use the same frequency and, in the process, destroying their ability to reliably broadcast. It also ensures that the public is compensated for one of its greatest assets and ensures that persons granted use of this resource do not abuse their privilege.

Mr. Speaker, other developed nations have followed the lead of the United States by enacting laws like our Communications Act. In 1993, the Republic of China on Taiwan enacted comprehensive legislation to permit the licensing of new radio stations and the establishment of cable television stations. Under this law, many former operators of underground radio stations, which had been operating illegally for many years, were permitted to apply for new licenses. To date, 17 of the 20 former operators of these underground stations have received licenses after their applications were reviewed by a nonpartisan professional licensing board. These licenses were granted without regard to the operators' political affiliations. In fact, three licenses were awarded to operators who are openly opposed to the current party in power.

Mr. Speaker, the Government of the Republic of China has been extremely generous in its licensing policies. In the United States, anyone found to be illegally operating a commercial radio station rarely gets a chance to obtain a commercial radio station after being found in violation of the law. Despite this generous policy, several operators of illegal radio stations in Taiwan have refused to apply for licenses and have continued to operate illegally, thereby jamming the frequencies lawfully allocated to licensed operators.

Mr. Speaker, one such illegal radio operator is Mr. Hsu Rongchi. This week, Mr. Hsu has requested and, in fact, has been granted, a meeting with a select few Members of the U.S. Congress to discuss the issue of licensing radio stations in the Republic of China. It is my expectation that Mr. Hsu will argue that the Republic of China on Taiwan has prevented him from exercising his right to free speech by shutting down his illegal radio operation.

Mr. Speaker, I fully respect Mr. Hsu's right to meet with Members of the U.S. Congress. I also respect the right of Members of Congress to solicit the opinion of foreign citizens on foreign policy related matters. At the same time, I am deeply concerned about how this meeting may be portrayed in the American and foreign media. In my 12 years in Congress, I have witnessed on numerous occasions foreign nationals who have deliberately misrepresented their interaction with Members of Congress in order to achieve their own political objectives.

Mr. Speaker, I feel it is important to emphasize that Mr. Hsu has not been granted a hearing by the House Committee of International Relations or the Subcommittee on Asia and the Pacific. I sit on this full committee and this subcommittee. In the House of Representatives, they have exclusive jurisdiction to hold hearings on issues impacting United States-Republic of China relations. While Mr. Hsu and others may be billing this February 2, meeting with Members of Congress as a hearing, it is actually a meeting with a few Members of Congress. Furthermore, the fact that a few Members of Congress have conceded to meet with Mr. Hsu should not be portrayed as any affirmation by the U.S. Congress of Mr. Hsu's viewpoint, or for that matter, that the U.S. Congress views this issue of great importance. In fact, I believe that the majority of my colleagues would disagree with Mr. Hsu's opinions regarding the fairness with which the Republic of China on Taiwan licenses radio stations.

Mr. Speaker, I am hopeful that my remarks will have clarified for all those interested parties what is and is not taking place this week in the U.S. Congress regarding the radio licensing issue.

PERSONAL EXPLANATION

HON. MIKE WARD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1995

Mr. WARD. Mr. Speaker, due to unavoidable circumstances, I missed rollcall vote No. 65—during consideration of H.R. 5, Unfunded Mandates Reform Act—on January 30, 1995. Had I been present, I would have voted ''aye.''

PROPOSING A BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

SPEECH OF

HON. JAMES A. LEACH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 26, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the joint resolution (H.J. Res. 1) proposing a balanced budget amendment to the Constitution of the United States:

Mr. LEACH. Mr. Chairman, some concerns have been expressed about how the balanced budget amendment, if ratified, could effect the Federal Government's ability to issue debt, manage its cash position, and borrow money at the lowest rate.

For instance, under present budgetary requirements, budget outlays for direct loans, such as those provided by the Eximbank and USDA, consist of the net present value of the

subsidy, rather than the net disbursement of cash. However, Treasury still must borrow the full amount of the loan. It is expected that cash disbursements will exceed $70 billion during fiscal year 1995–99. Under House Joint Resolution 1, the debt limit would have to be increased by a three-fifths majority of each House in order to accommodate these disbursements, even if the budgets were balanced in those years and the loans eventually were paid back in full.

In addition, the Federal Government's cash requirements vary from year to year, making it difficult to estimate its revenue needs. For example, a large number of unexpected thrift and bank failures in 1 year could cause the budget to be unbalanced.

Finally, some have argued that given the constraints of a balanced budget amendment and the three-fifths requirement, Congress will look for ways to borrow money off budget, which is usually more costly than on-budget financing. A good example of a more costly off-budget financing scheme was the reliance on REFCORP bonds to finance part of the S&L bailout.

While the above budgetary concerns at first blush would appear problemsome, they should not pose insurmountable obstacles to successful implementation of a balanced budget amendment. Many of these cash management problems can be addressed with more prudential planning. Furthermore, section 8 of House Joint Resolution 1 allows Congress to enact laws to implement this constitutional amendment. Through legislative adjustments Congress retains the flexibility to square the various nuances and vagaries of Federal Government debt management with the constitutional requirement of a balanced budget.

PROPOSING A BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

SPEECH OF

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 26, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the joint resolution (H.J. Res. 1) proposing a balanced budget amendment to the Constitution of the United States:

Mr. DOYLE. Mr. Chairman, I urge my colleagues on both sides of the aisle to support House Resolution 28, the bipartisan, bicameral balanced budget amendment. We have spent considerable time in this House debating and discussing the merits of competing balanced budget amendment proposals. The message that has resonated through this debate is this country's desperate need to balance its budget.

Currently, our national debt exceeds $4.3 trillion. Since this House last voted on a balanced budget amendment in March 1994, our debt has increased by more than $160 billion dollars. The gross interest payments on this debt alone are costing us $816 million per day. In fact, these interest payments have increased so significantly that 14 percent of the entire Federal budget is devoted to interest payments on the debt. Therein lies the insidious nature of this deficit debacle.

As the interest payments continue to skyrocket. Devouring larger and larger portions of the budget, there is a devastating regressive effect on the rest of the budget. These interest payments are severely hampering our ability to fund important discretionary programs. While future generations will suffer increasingly from this effect, the problem is also very real in the present. Our interest payments this year alone will be 8 times higher than expenditures on education and 50 times higher than expenditures on job training.

My constituents in western Pennsylvania will need continued assistance from job retraining and economic development programs. This is why I stand today in support of this balanced budget amendment. The Mon-Valley needs the help of innovative and intelligent Federal programs to assist in the retraining of displaced workers so they are prepared to join new, high-technology industries. Programs are needed to cleanup the abandoned industrial sites so fresh businesses will locate there bringing with them secure jobs in these growing industries. These are just the types of programs that are being crowded out by the increasing interest payments on our debt.

It is imperative that a balanced budget amendment passes both Houses of this Congress so that it can move to the States for the ratification process. Only then will people throughout the country be afforded the opportunity to closely examine how the amendment would work and what specific actions would be necessary to achieve a balanced budget early in the 21st century. However, the only way our citizens will have that opportunity is if we move now to pass the Stenholm/Schaefer alternative.

It is the only alternative that is purely bipartisan in nature and has a chance of also passing in the Senate. This is a practical reality that cannot be overlooked.

Language in this amendment would require a three-fifths vote in both Houses to allow an increase in our national debt level which gives this alternative the strong safeguard necessary for it to be effective, and I sincerely hope my colleagues will recognize the power of this rigorous balance. The Stenholm/Schaefer amendment unites the underlying principles of all versions of the balanced budget amendment. We cannot let another opportunity to pass this amendment slip away. I urge my colleagues on both sides of the aisle to support the Stenholm/Schaefer alternative now, and when we take a vote on final passage.

HELSINKI COMMISSION HEARING ON DEVELOPMENTS IN BOSNIA AND HERZEGOVINA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1995

Mr. SMITH of New Jersey. Mr. Speaker, yesterday the Helsinki Commission, which I chair, convened its third hearing to hear from Dr. Haris Silajdzic, the Prime Minister of Bosnia and Herzegovina. In 1992 and 1993, Dr. Silajdzic testified in his previous position as Foreign Minister, describing the horrors taking place in his country and, knowing they could have been prevented, urgently asking for help. The hearing reviewed the tragic situation that still exists in Bosnia and Herzegovina, as well as the continued relevance of policy options that should have been taken by the international community long ago. Having to do that was frustrating to me, and I cannot begin to imagine how it must frustrate the Prime Minister.

We must not, though, accept the unacceptable. That is exactly what the Serb militants want us to do. It is clear that the people of Bosnia, despite their endurance of a third winter of war, are not prepared to abandon the defense of their homes, their families, their country. Indeed, Bosnia and Herzegovina seems motivated to defend international principles, even if they must do so almost completely alone.

In contrast, much to my dismay, the international community has been beaten back by the Serb militants in what has become a game of bluff. The Serb militants clearly escalate the violence, because they know we are unwilling to escalate in response. Our threats against them lack any credibility. Officials directing United Nations and NATO efforts have failed not only to stop vicious Serb aggression, but also to enforce their own Security Council resolutions. Instead, they have resorted to mutual recriminations, twisted explanations, and even blaming the victims for their fate.

Last summer, the so-called Contact Group—comprising the United States, Russia, the United Kingdom, France, and Germany—offered the Bosnian Government and the Serb militants a plan on a take-it-or-leave-it basis, with a deadline for an unconditional answer and warnings of repercussions for any side rejecting it. Sarajevo accepted it, in time and without condition. The militants effectively rejected it. As sanctions were then eased on Serbia in response, the deadline for Bosnian Serb acceptance was extended indefinitely. Earlier this month, U.S. officials presented this plan as simply a starting point for negotiations, and met with the Bosnian Serb leaders in their stronghold, Pale. To my dismay, the Secretary of State concluded that the ''Bosnian crisis is about Bosnia, but the NATO alliance is far more enduring, far more important than the Bosnian crisis.'' I was amazed and appalled.

Let's keep in mind, Mr. Speaker, that the Secretary's comment refers to what is, in fact, a well-documented genocide, and these diplomatic gestures were made toward those who orchestrated it. Through all the complexities of the Balkans that we must consider, one generic fact remains—you reward the aggressor, and you get more aggression. It is as simple as that.

The Helsinki Commission, through the leadership of the previous cochairs of the Helsinki Commission, noted that calls for a negotiated settlement, however correct, are meaningless if accompanied by an artificial neutrality and not by severe repercussions for those who operate outside acceptable parameters and seek what they want through the use of force. Collective partnerships, however desirable, will erode if partners allow one of their own to be carved into ethnic pieces.

Enunciating international principles, however promising, is empty if countries abandon them for historical affinities and big-power politics. Commemorations of the end of World War II a half century ago, however appropriate, ring somewhat hollow when genocidal acts that stir memories of the Holocaust are allowed to occur. The world's commitment to human