

EXTENSIONS OF REMARKS

INTRODUCTION OF THE AGE DISCRIMINATION IN EMPLOYMENT AMENDMENTS OF 1995

HON. HARRIS W. FAWELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1995

Mr. FAWELL. Mr. Speaker, today, I join my colleague, the Honorable MAJOR OWENS of New York, in introducing legislation to restore the public safety exemption under the Age Discrimination in Employment Act of 1967 [ADEA]. This exemption, which expired on December 31, 1993, would allow police and fire departments and correctional institutions to utilize maximum hiring ages and early retirement ages as an element of their overall personnel policies. As a general matter, the use of age-based employment criteria is impermissible under the ADEA.

I believe strongly that the use of an age requirement as a qualification for employment is rarely justified. However, the public safety arena presents one of the very limited exceptions where the need to perform at peak physical and mental conditioning is critical and the natural effects of the aging process cannot be discounted. Police and firefighters have the safety and well-being of not only their fellow officers, but the general public as well, in their hands, and we simply cannot tolerate the risk presented by the possibility of sudden incapacitation or slowed reflexes.

I recently chaired a hearing of the Subcommittee on Employer-Employee Relations of the Committee on Economic and Educational Opportunities on the need for the public safety exemption under the ADEA, and the testimony of firefighting and law enforcement organizations and local government was compelling. A representative of the International Association of Firefighters testified that "the most important reason that public safety occupations are an exception to the general rule against age-based employment criteria is simply that human lives are at stake." Both the firefighters and police officers presented persuasive testimony that State and local governments must ensure a physically fit and fully qualified workforce and that there are no adequate physical tests available to enable them to do so without the use of age criteria. I might also add that essentially the same legislation restoring the public safety exemption twice passed the House of Representatives in the last Congress.

Drawing a line between the employment rights of one group of Americans and the general good of all Americans is never easy. However, given the increasingly difficult task facing both the law enforcement and firefighting communities, I do not feel we can deny them a personnel tool which management and labor alike feel is necessary to the effective performance of their jobs. I urge all my colleagues to join me in sponsoring the Age Discrimination in Employment Amendments of 1995 and in restoring the public safety exemption to the ADEA.

SUPPORT FOR MINIMUM WAGE

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1995

Ms. WOOLSEY. Mr. Speaker, I rise to commend the President in the strongest possible terms for his proposal to increase the minimum wage and provide much-needed relief for the working families of this country.

In 1991, before I came to Congress, I was a human resources consultant. Back then, the minimum wage was at the same level that it is today: \$4.25 an hour. In Sonoma County, where I worked, it was a joke to expect someone to support a family with a minimum wage job, because the minimum wage was not a livable wage. Well, Mr. Speaker, it is even less livable now, because inflation has cut its value by 50 cents over the past 4 years. This is a crisis for America's working families that Congress must address immediately.

To those who oppose President Clinton on this issue, and especially to those who want to eliminate the minimum wage altogether, I want to remind you that 75 percent of the American people agree with our President. I urge my colleagues to unite on behalf of America's working families—to provide them with the wage they deserve.

GOD, GIVE US MEN

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1995

Mr. CRANE. Mr. Speaker, as the new majority in Congress, we face tough decisions in following through with our promises to the American people.

My friend and constituent, Mr. Bill Zimmerman from Gurnee, IL, provided me with a poem that describes the traits Americans expect from their legislators. I include a copy of "God, Give Us Men" for the RECORD, and commend it to the attention of my colleagues.

GOD, GIVE US MEN!

(By Josiah Gilbert Holland)

God, give us Men! A time like this demands
Strong minds, great hearts, true faith and
ready hands;

Men whom the lust of office does not kill;
Men whom the spoils of office cannot buy;

Men who possess opinions and a will;
Men who have honor; men who will not lie;
Men who can stand before a demagogue

And damn his treacherous flatteries with-
out winking!

Tall men, sun-crowned, who live above the
fog

In public duty and in private thinking;
For while the rabble, with thumb-worn
creeds,

Their large professions and their little deeds,
Mingle in selfish strife, lo! Freedom weeps,
Wrong rules the land and waiting Justice
sleeps.

REDUCTION OF THE OFFICIAL MAIL ALLOWANCE

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1995

Mr. DAVIS. Mr. Speaker, I am today introducing legislation to reduce the official mail allowance of Members of Congress by one-third. I am joined in this request by 21 cosponsors. It has long been my opinion that the ability of Members of Congress to blanket their constituency with unsolicited mass mailings gives them a distinct advantage over challengers in congressional elections. The citizens of the Eleventh District of Virginia have made it clear to me that Congress needs to reform and return itself to its intended purpose as an instrument of the people. It is my hope that this legislation will play a key role in these reforms.

In the past, the official mail allowance was determined by multiplying the number of addresses in a Member's congressional district by the first class postal rate. The current formula allows each Member three times the total number of addresses in their congressional district. The Committee on House Oversight has been responsible for regulating this appropriation; however, preliminary figures have shown that Members altogether overspent this allowance by approximately \$2 million last year. It is clear that we need to take stronger action in order to control this appropriation.

Tomorrow, the Committee on House Oversight will enact regulations that will consider cutting the statutory appropriation. My legislation will couple this regulation by reducing the number of addresses in the formula determining a Member's official mail allowance, resulting in a real money difference of approximately \$55,000 per Member each year. I hope my colleagues and the Committee on House Oversight will support our efforts in the fight for this overdue change.

HONORING DR. LAURANCE NICKEY

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1995

Mr. COLEMAN. Mr. Speaker, I rise to applaud the efforts of a special leader in my home community of El Paso, TX. In fact, I am quite proud to commend the American Medical Association in its decision to award the 1994 Dr. Nathan Davis Awards to Dr. Laurance Nickey, who will be honored with the Career Public Servant Award at a special awards

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

banquet tonight at the Mayflower Hotel. The Dr. Nathan Davis Awards are presented for outstanding contributions "to promote the art and science of medicine and the betterment of the public health."

Dr. Laurance Nickey is the director of the El Paso City-County Health District and has long been proactive in promoting the public health of the entire southwestern border region. In fact, Dr. Nickey was the first to propose the idea of creating a United States-Mexico Border Health Commission, which was signed into law in October 1994. Dr. Nickey espoused the need to work collaboratively with health, officials of the Mexican side because of his true commitment to improving the health of residents all along the border.

Dr. Nickey has a long and impressive history of service in El Paso, where he was raised. He founded a private pediatric practice there from 1960 to 1983. Dr. Nickey's accomplishments can be found in both the legislative and community health arenas. Legislatively, Dr. Nickey was instrumental in securing legislation that prohibits insurance companies in Texas from discriminating against newborn babies during the first several weeks of life. Dr. Nickey's community successes include the 1963 oral polio immunization program, which administered 800,000 doses of polio vaccine to El Pasoans, west Texans and southern New Mexicans. In 1965, Dr. Nickey was responsible for getting a tuberculosis control physician from the U.S. Public Health Service to come to El Paso, which led to the establishment of an excellent tuberculosis control unit to be operated by the Texas Department of Health through the El Paso City-County Health District.

More, recently, in 1990, Dr. Nickey launched the improved pregnancy outcome program [IPOP], which resulted in the increase of prenatal visits in El Paso from 420 to over 17,000. In fact, at Thomason General Hospital, our principal public hospital, the percentage of women that delivered without prenatal care fell from 40 percent to 11 percent. In August 1991, Dr. Nickey began the only local international task force on cholera along the southwestern border. This project encompassed widespread community involvement. These are but a few. Dr. Nickey's list of accomplishments is impressive and endless.

I know that I share the appreciation and admiration of all El Pasoans when I say, thank you, Dr. Nickey, for your tireless and selfless efforts toward improving the health of all Americans.

THE PAPERWORK REDUCTION ACT OF 1995

HON. NORMAN SISISKY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1995

Mr. SISISKY. Mr. Speaker, I rise today to voice my strong support for H.R. 830, the Paperwork Reduction Act of 1995. I and four other Members of this House joined Mr. CLINGER last night in introducing this urgently needed and long overdue legislation, and I strongly urge my Democratic and Republican colleagues to lend it their wholehearted support.

H.R. 830 makes a series of improvements which strengthen the Paperwork Reduction

Act of 1980. It gives the Federal agencies the tools and the mandate they need to curb paperwork demands on small businesses. It makes permanent the OMB office that is responsible for overseeing the paperwork reduction process. And it closes the enormous loophole created by the Dole Supreme Court case, which agencies have taken advantage of to exempt themselves from requirements of the original Paperwork Reduction Act.

In the 103d Congress, Congressman CLINGER joined me in introducing H.R. 2995, the Paperwork Reduction Act of 1993, a very similar version of the same bill. In this Congress, I have the distinct pleasure of joining Congressman CLINGER in introducing H.R. 830.

I am pleased that H.R. 830 and its Senate counterpart enjoy such broad bipartisan support, as well as the endorsement of the Clinton administration. It is truly good news for small businesses all across the country that this bill has such promising prospects for enactment.

As a senior Democrat on the Small Business Committee, I know that small businesses consistently rank the reduction of Government paperwork as one of their top priorities. Federal paperwork requirements amount to a hidden tax on small businesses, who spend billions of dollars every year in compliance. Since small businesses are responsible for creating most new jobs in today's economy, it only makes sense to check this hindrance to small business job creation.

Reducing the amount of paperwork drowning small businesses in America is a reform that both Democrats and Republicans can enthusiastically support. It is encouraging that Members of both parties have been able to put aside their partisan differences to work together on this important legislation. I hope this effort can serve as a model for constructive bipartisan cooperation on many other issues that directly affect small businesses and average citizens on a day-to-day basis.

WHAT NEGRO HISTORY MONTH MEANS TO ME

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1995

Mr. CLAY. Mr. Speaker, black Americans have fought in every war in which the United States has been involved. However, black soldiers were not afforded the same rights and privileges as their white counterparts until recently. Despite the courage and patriotism they displayed, black soldiers were often forced to endure overt discrimination and racism from their superiors and peers.

I want to share with my colleagues an essay that describes the trials of one black soldier. The account was written by Joseph "Joe" Myers, my old friend and club member in the Lamb's Club. It is my hope that Joe's story will positively inspire my colleagues during this Black History Month.

WHAT NEGRO HISTORY MONTH MEANS TO ME (By Joseph "Joe" Myers)

This is a salute to the Negro American men and women who served in the United States Marine Corp during the last fifty years.

As I lie here thinking of Negro history month being celebrated today, little did I know or think when I volunteered for service in the U.S. Marine Corp in Dec. 1942, that I would today be considered a legend in Negro Military History.

Being among the first thirty platoon of men enlisted and called, the quota was to be twelve hundred (1200) and this was on an experimental basis to see if we could finish basic training, which was hazardous and highly disciplined. To become part of this highly elite organization was our goal. We had all kinds of setbacks, embarrassing, degrading and harassing experiences, but we banded together with our dignity and pride.

We made it. This was the first time in U.S. Marine Corp history that Negro Americans were on record as part of the U.S. Marine Corp. The first thirty platoons were trained and supervised by white instructors who reminded us constantly that we were not wanted in the Corp. They even suggested we go over the hill (AWOL). This made us band together with more determination to prove we were as qualified as others.

Today it makes my heart beam with joy to hear a great leader, General Colin Powell, former Chief of Staff, state that The Montford Point Marines are among the Negro Military legends. To have served and see blacks rise from a Boot recruit to a Lt. General and now Major, and Brigadier Generals is amazing. I knew it would happen. Yes, we served in World War II, the Korean era, the Vietnam conflict, the Desert Storm, Granada, Panama and now the Haitian conflict.

We have served with the highest distinction, some even getting this nation's highest award, "The Congressional Medal of Honor" and awards for being among the best fighter pilots in combat. Yes, we salute the men and women who have followed in our footsteps and are continuing to carry the baton.

To quote General Chappie James: "We have run a good race and come a long way, but there are better trophies ahead."

You may hear some conflicting lies and exaggerating stories about us. If you want the true analysis ask someone from the First Thirty Platoons.

Semper Fi.

MARSHA GRILLI: MILPITAS CITIZEN OF THE YEAR

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1995

Mr. STARK. Mr. Speaker, I rise today to recognize the achievements of Ms. Marsha Grilli, a resident of the city of Milpitas in the 13th Congressional District. She has just been selected as the 1995 Milpitas Citizen of the Year by the Milpitas Chamber of Commerce.

Marsha has been an active member of the Milpitas community for over 13 years but has really made her mark in our community's schools. She has been immersed in the education of her five children, as any parent would be. But Marsha's interest in their education has benefited all of the schoolchildren of Milpitas.

She has served on numerous committees, including the Community Board Advisory Council, school site councils, and Curtner School Association. She was the cofounder of the Milpitas Foundation for Education, served

as its chair and continues to be an active member. The foundation's purpose is to work with businesses to secure grants for both teachers and students. Under Marsha's leadership, the foundation has made a difference in Milpitas. Since Marsha was recently elected to the Milpitas Unified School District, she is no longer able to serve on its board of directors, but I am certain that she will continue to be even more dedicated—if that is possible—to our schools in her new capacity.

In 1990, Mayor McHugh appointed Marsha to the Parks, Recreation and Cultural Resources Commission for the city of Milpitas. She currently serves as the commission's chair. She has also been an active member of the Milpitas Volunteer Partners Program for many years where she has participated in such programs as the Fall Fest and Milpitas USA Parade and Festival. Marsha also recently cochaired the Great Mall of the Bay Area Evening Gala which raised over \$35,000. She has also been a member of several other organizations such as the Little League, Cub Scouts, Pal Soccer, the Milpitas Chamber of Commerce, and Trinity Episcopal Church.

Marsha is also a successful businesswoman who, while raising a family and managing her child care business, has always taken the time to give back to her community. That is why I am proud to recognize Ms. Marsha Grilli as the 1995 Milpitas Citizen of the Year.

TRIBUTE TO TERRANCE NELSON
HOSKINS MEDINA

HON. JOHN LINDER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1995

Mr. LINDER. Mr. Speaker, I want to take this opportunity to recognize Terrance Nelson Hoskins Medina on his accomplishment of earning the rank of Eagle Scout. This is a substantial achievement demonstrating his abilities and perseverance, as only 2 percent of all Scouts ever achieve the Eagle rank.

Terrance began Scouting in 1988, as a member of the Emory Presbyterian Church-sponsored Troop 55. However, in just 2 years Terrance had moved from Troop 55 to Troop 455, where he was elected to the Order of the Arrow. On February 7, 1995, he completed his Eagle Scout requirements having reconstructed a 60-by-5-foot bridge for the Morningside Presbyterian Church.

Aside from Scouting, Terrance has maintained an "A" average, while still allowing enough time to devote himself to his music. For the past two summers, Terrance has participated in the highly competitive program at Interlochen, MI, where he specialized in the flute. He has also performed for the Atlanta Symphony Youth Orchestra and Olympic band and was also named to the All State band in 1994. After graduation, he plans to attend a conservatory where he can continue his study of music.

I extend my congratulations to Terrance, who should be justifiably proud of his accomplishments. I also congratulate his parents, Augusto and Norma Medina, and his adult Scout leaders whose support and encouragement helped make his goal a reality.

INTRODUCTION OF THE HAYES-
BAKER SMALL BUSINESS
AMENDMENT TO H.R. 5

HON. JAMES A. HAYES

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1995

Mr. HAYES. Mr. Speaker, as much as the debate surrounding unfunded Federal mandates is grounded in Federal irresponsibility toward State and local governments, unfunded mandates also undermine our respect for and commitment to the small entrepreneur. 97.6 percent of the nongovernmental, non-agricultural businesses in my home State of Louisiana employ 99 workers or less. We depend on the small businessman to provide jobs for our children and our grandchildren. With unfunded mandates already estimated to cost \$229 per capita in fiscal year 1995, Louisiana's small businessmen and their employees can ill-afford to shoulder any additional regulatory burdens.

It is for these reasons that my Louisiana colleague, RICHARD BAKER, and I proposed an amendment to H.R. 5 to ensure that the business community is adequately factored into the unfunded mandate equation. Our proposal is consistent with the substance and intent of our own regulatory and legislative review bill, the Small Business and Private Sector Economic Impact Act, H.R. 58.

This amendment would modify title III of H.R. 5 to require that the Director of the Congressional Budget Office [CBO], at the request of any standing committee of the House or Senate, consult with and assist those committees in analyzing, when practicable, whether legislation has a significant employment impact on the private sector. The CBO will continue to examine the significant budgetary impact on State, local, or tribal governments as well as the significant financial impact on the private sector. Given the enormous workload that CBO must shoulder to fulfill its current obligations under this bill, our amendment necessarily focuses the committees on unfunded mandates specifically impacting jobs. At the same time, our amendment allows the committees to appropriately prioritize to ensure that the legislative process is not bogged down and that the CBO does not study employment issues whenever such matters are nongermane or de minimus.

President Wilson once characterized our search for direction by saying that "there is much excitement and feverish activity, but little concert of thoughtful purpose." I believe that his insight paints an accurate picture particularly when, as is currently the case, the Federal bureaucracy fails to set priorities, places its needs ahead of those of the people it is supposed to serve, and when regulators, and Members of this body for that matter, propose inane, onerous laws and regulations without regard for who ultimately must pay for them. Clearly, the people should be made aware of the full effect, good and bad, that their Government's actions will have on them. This amendment would help prevent the Federal Government from shirking its responsibility.

INTRODUCTION OF THE RURAL
TELEMEDICINE ACT OF 1995

HON. BLANCHE LAMBERT LINCOLN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1995

Mrs. LINCOLN. Mr. Speaker, I rise today along with my two colleagues, Congressman JAY DICKEY and Congressman BILL RICHARDSON to introduce a bill which will have far-reaching implications for rural citizens in our Nation. This legislation, the Rural Telemedicine Act of 1995, will finally provide rural health care providers with Medicare reimbursement for the telemedicine services they provide.

Telemedicine, while not all that new, has the potential to become the breakthrough technology for rural residents and their access to specialized and emergency health care. However, we have a role in making sure that rural residents have access to this possible innovation.

In the past, Congress has focused solely upon providing funding for the equipment to transmit telemedicine services. This bill will enhance our efforts by giving providers in rural areas appropriate Medicare reimbursement for the services they are already providing for free. I am concerned that if we do not begin to pay for utilization, this service will not meet its potential and rural constituents will be left out in the cold again.

The Rural Telemedicine Act of 1995 is very cost conscious. The Health Care Financing Administration [HCFA] will oversee the disbursement of the Medicare funds to determine that care givers are using telemedicine appropriately. In addition, HCFA must provide Congress with several reports, both during and after this project's 3-year lifetime. This provision alone removes the blank-check syndrome we have experienced through pilot programs being constantly reauthorized. In this instance, Congress will receive substantive data about the most viable uses of telemedicine.

I urge Members of this House to seriously consider cosponsoring the Rural Telemedicine Act of 1995. Please assist your rural constituencies in gaining access to viable health care options.

AMENDING THE CLEAN WATER
ACT

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1995

Mr. CUNNINGHAM. Mr. Speaker, on February 2, 1995, I was pleased to join my colleagues from San Diego in introducing H.R. 794. Representative BILBRAY's bill, H.R. 794, is intended to amend the Clean Water Act to exempt San Diego from secondary sewage treatment requirements of its wastewater.

Current law requires every city, no matter its environmental conditions, to handle sewage at the secondary level. However, study after study has concluded that sewage treated at advanced primary levels and released into ocean depths greater than 300 feet does not harm the environment. With this in mind, it

seems senseless to appropriate billions of dollars to upgrade a system to secondary treatment when our ocean waters are adequately protected at the primary levels.

The Environmental Protection Agency [EPA] has been trying to force San Diego to upgrade its wastewater treatment plant, at a cost of billions, to comply with the act. The Clean Water Act mandates that cities use secondary treatment of sewage which removes at least 85 percent of the solids from sewage. However, San Diego's Point Loma Wastewater Treatment Plant uses advanced primary treatment to remove approximately 82 percent of the solids before it is discharged 4.5 miles out into the ocean.

For years, San Diego has argued that because of its deep ocean outfall, secondary treatment of its sewage is unnecessary and costly. According to noted scientists from Scripps Institute of Oceanography, it may even be detrimental to the environment. That is why I am encouraged that H.R. 794 would allow the city of San Diego to be free of the requirements regarding biological oxygen demand and total suspended solids in the effluent discharged into marine waters. Such modifications will not alter the balance of our marine life and viability.

As a Representative of San Diego, a retired naval officer, and all around sea-lover, I have immense concerns for the proper treatment of our waters. San Diego is unique in its ability to discharge of its waste into deep waters. We are unlike so many cities that must discharge into lakes and rivers. I believe this issue should be treated as a matter of common sense. According to current law, San Diego would be required to waste money to alter a system that has proven successful. The intent of H.R. 794 is to allow San Diego to treat its sewage in a cost-effective, as well as environmentally safe, manner.

Finally, I would like to thank Representative BILBRAY for his efforts in this regard. This legislation would help to right a major wrong for San Diego. I look forward to the consideration of H.R. 794 in the near future. Speaker GINGRICH has also stated his concern for this unique situation. Speaker GINGRICH has proposed that 1 day a month be set aside in the House for the consideration of bills, such as this, targeted to eliminate specific activities of Federal agencies that are deemed stupid. I believe this is a perfect example of an unfunded mandate at its worst. As witnessed by majority votes in the House and Senate, there is a need to prevent Congress from imposing mandates, often unnecessary, on States without providing the proper funding for them.

INTRODUCTION OF THE TOXIC POLLUTION RESPONSIBILITY ACT AND THE MUNICIPAL LIABILITY CAP ACT

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1995

Mr. SMITH of New Jersey. Mr. Speaker, today, I reintroduced legislation addressing one of the central problems in the Superfund Program—municipal liability. I have introduced this legislation in the past two sessions and was pleased that it was included in principle in

the comprehensive Superfund reform which was supported by a wide coalition and nearly gained congressional approval last year.

The Toxic Pollution Responsibility Act and the Municipal Liability Cap Act would free local governments from the costly entanglements of third party lawsuits generated by parties eager to share the costs of Superfund cleanup. Far too often, potentially responsible parties [PRP's] with obligations to contribute to clean-up costs initiate third party lawsuits against communities which had disposed simple municipal solid waste as sties which later found their way onto the National Priorities List [NPL]. Sometimes, these legal actions are predicated on serious, but erroneous, intentions of shifting cleanup costs to municipalities and taxpayers. Sometimes, however, they are just dilatory tactics meant to postpone final payments and cleanup.

The success of these tactics is obvious. In the 15 years of the program, only 5 percent of the 1,245 sites on the NPL have been completely cleaned up. And for that small accomplishment, an estimated \$20 billion in combined Federal, State, and private funds has been spent. The National Association of Manufacturers estimates that the average site clean up takes 11 years and between \$25 and \$40 million. This is a far cry from the original EPA estimates of 5 to 8 years and \$7 million.

To linger in negotiations and courts for years on end is very costly. A November 1993 Rand Corp. study of Superfund-related expenditures for 108 companies indicates that 32 percent of these combined expenses went to legal fees. There are few municipalities—particularly small communities—which can afford such exorbitant prices. To meet these costs, implicated towns would have little recourse other than tax hikes and/or reduced local services.

And beyond this, these lawsuits have averted the main principle of the Superfund law—to make the polluter pay.

Municipalities are not the hazardous waste polluters. They disposed simple everyday waste at these sites—coffee beans, toilet paper tubes, and banana peels—and not the industrial hazardous waste which transformed simple landfills into Superfund sites. There is no equating one with the other. And the law must reflect this distinction.

Furthermore, communities performed this duty not only to fulfill their traditional local responsibilities, but at the behest of the U.S. Congress and the Environmental Protection Agency [EPA]. In passing the Resource Conservation and Recovery Act of 1976 [RCRA], Congress specifically noted that "the collection and disposal of solid wastes should continue to be primarily the function of State, regional, and local agencies." Congress was clear in RCRA that local governments should hold the primary responsibilities in solid waste management within their jurisdiction. Are we to punish them now for complying so efficiently?

The two bills which I have introduced today recognize the innocence of these actions. The provisions of the bills apply to transporters and generators of municipal solid waste which have not been named by the EPA as PRP's. The first of my bills—the Toxic Pollution Responsibility Act—would entirely exempt these parties from the threat of third party suits. The second of my bills—the Municipal Liability Cap Act—would cap the total municipal liability obligation at 4 percent for each site. This cap

was first advocated in 1992 by an internal EPA review board. This principle was also incorporated into last year's comprehensive Superfund reform proposal as a 10-percent cap on municipal liability.

The overwhelmingly decisive passage of unfunded mandates legislation by the House demonstrates our commitment to providing overburdened local governments with long overdue relief. These are our partners in governance and serve the same citizens we serve. We owe them this much. I encourage my colleagues to cosponsor one or both of these initiatives and I encourage the House Committee on Commerce to consider this important proposal for inclusion once again in a comprehensive Superfund reform package.

A DECENT MINIMUM WAGE

HON. MIKE WARD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1995

Mr. WARD. Mr. Speaker, I would like to bring to the attention of my colleagues an article by Robert Kuttner which appeared in the January 29, 1995 issue of the Washington Post. I feel that this article vividly illustrates the need for an increase in the minimum wage and I hereby submit the following text of this article for the RECORD.

[From the Washington Post, Jan. 29, 1995]

A DECENT MINIMUM WAGE

(By Robert Kuttner)

President Clinton wants to raise the minimum wage. The Republicans object. Indeed, House Majority Leader Richard Arney wants to repeal existing minimum wage laws.

Politically, this was a difficult call for Clinton. On the one hand, raising the minimum wage seems to contradict Clinton's well-advertised return to his "New Democrat" roots. The federal minimum wage evokes FDR, factory workers and the Great Depression, a set of images that Clinton hopes to transcend. The middle class, object of Clinton's courtship, earns a lot more than the minimum wage—or it isn't middle class.

At the same time, a higher minimum wage clearly resonates with the Clinton theme of honoring work. In his State of the Union speech, the president once again saluted Americans working longer hours for less pay, and suggested they deserve more reward. These are precisely the people who've stopped voting, but who tend to vote Democratic when they vote at all.

Contrary to mythology, most of the 4 million minimum wage workers are not teenagers flipping burgers after school. They are breadwinners, mostly female, contributing to an increasingly inadequate household income.

Moreover, the value of the minimum wage has deteriorated markedly. Throughout the late 1950s, under President Eisenhower, it had a real (inflation adjusted) value of over \$5 an hour in today's dollars. In the mid-'60s, before eroded by inflation again, it peaked at \$6.38—50 percent higher than today's value. As recently as 1978, it was worth over \$6, enough for two breadwinners to earn a barely middle-class living. Today it is just \$4.25.

In that sense, the Republican views on the minimum wage are also contradictory. Republicans, even more fiercely than President Clinton, want to replace welfare with work. But if work doesn't pay a living wage, then

even people who dutifully take jobs can't pay the rent.

Republicans also want budget balance. But hiking the minimum wage is a lot more budget-friendly than having government subsidize low-wage work.

The government's principal device for making work pay is the Earned Income Tax Credit—a kind of negative income tax targeted to low-wage workers with families. It was expanded, with strong bipartisan support, in 1993. Next year, the EITC will cost the federal budget more than \$15 billion.

Of course, the Republican desire to encourage work and reduce federal outlays clashes with the Republican worship of unregulated markets. Conservatives, seconded by many economists, have long argued that minimum wage laws reduce jobs. By raising the cost of workers, minimum wages force industry to make fewer hires.

That makes intuitive sense. However, a new and comprehensive study by two Princeton University economists rebuts the conventional wisdom. Economists David Card and Alan Krueger had a laboratory case when New Jersey raised its state minimum wage and neighboring Pennsylvania did not.

Card and Krueger found that employment in New Jersey actually expanded after that state hiked its minimum wage from \$4.25 to \$5.05 an hour in April 1992. Comparable fast-food outlets across the river in eastern Pennsylvania, whose minimum wage remained at \$4.25, experienced lower job growth. Nor was New Jersey's hike in wages offset by reduced fringe benefits. The economists found similar results in studying other states.

What explains these surprising findings? In their forthcoming book, "Myth and Measurement" Card and Krueger find that management has a degree of "market power." They could have been paying higher wages all along. They simply chose not to, given that enough workers were available at the lower wage.

Contrary to the usual claim that higher minimum wages are inflationary, they also found that restaurants mostly did not respond to the higher labor costs by raising prices. Rather they offset the higher pay with improved output and lower turnover. In some cases, they simply absorbed the higher costs.

At some point, say \$7 an hour, Card and Krueger agree that a higher minimum wage would likely reduce employment. But with the value of the minimum wage having eroded so badly, we are nowhere near that tipping point.

All of this suggests that the wisdom of legislating a decent social minimum is far from a cut-and-dried economic proposition. It is simply a political choice.

As a society, we can permit employers to recruit as many low-wage workers as they please, at the lowest going rate. But it turns out that the path of low productivity and low wages doesn't necessarily produce more jobs. Alternatively, we can insist that more company earnings be shared with employees—and we may well reap a more productive economy as well as a fairer one, at less cost to the taxpayers.

By embracing higher minimum wages, President Clinton has identified himself with the work ethic and with the occasional virtue of government regulation to correct imperfect markets and protect vulnerable people. In a speech that otherwise seemed heavily Republican, it was a good place to draw the line.

LINCOLN'S LASTING LEGACY

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1995

Mr. RADANOVICH. Mr. Speaker, many of us are about to return home, to the communities we represent and to the constituents we serve, to join in observing Lincoln Day. In the words of the man whose birth 186 years ago we celebrate on February 12 and whose memory we venerate, that commemoration is "altogether fitting and proper." It also is, in my belief, remarkably timely when we pause to compare Mr. Lincoln's views on Government to what we understand is the mandate that brought us to Washington.

Recently, when our neighbors on Capitol Hill, the Library of Congress, put on public display the original manuscripts of the Gettysburg Address, I joined with tens of thousands of our fellow Americans who visited this exhibition. While there I talked with members of the Library staff in charge of rare documents and was given a brief tour of the stacks in which are held some of the papers of our past Presidents, including Abraham Lincoln.

I assure my colleagues and constituents, Mr. Speaker, that it was one of the more memorable moments of my life to hold in my hands correspondence and other materials actually written by Mr. Lincoln. And, of course, there was that simple signature we have seen reproduced so many times in so many places, "A. Lincoln."

The experience moved me to look anew at Lincoln works and words. At every turn it seems, Mr. Lincoln demonstrated a strict adherence to the ideals of our Founders. His proclamation in 1863 said:

No service can be more praiseworthy and honorable than that which is rendered for the maintenance of the Constitution and the consequent preservation of free government.

The Lincoln basic belief in self-government is compellingly clear in an 1858 Chicago speech:

I have said very many times . . . that no man believed more than I in the principle of self-government; that it lies at the bottom of all my ideas of just government from beginning to end.

Mr. Lincoln's definition of Government's purpose stands at the best I ever have encountered. Speaking in Springfield, IL in 1854, he said:

The legitimate object of government is to do for a community of people whatever they need to have done, but cannot do at all, or cannot do so well for themselves, in their separate and individual capacities. In all that people can individually do as well for themselves, government ought not to interfere.

The preeminent position of the people in public affairs was a Lincoln guiding light. As a Member of this House of Representatives, he spoke from the floor in 1848:

In leaving the people's business in their own hands, we cannot be wrong.

In his First Inaugural Address, President Lincoln asked in 1861:

Why should there not be a patient confidence in the ultimate justice of the people; Is there any better or equal hope in the world?

On Independence Day that year, the message to Congress from President Lincoln advised:

The people themselves, and not their servants, can safely reverse their own deliberate decisions.

And, from perhaps one of the most-repeated of Lincoln quotations comes his counsel about the ultimate wisdom of the people:

You can fool all the people some of the time and some of the people all of the time, but you can't fool all of the people all of the time.

Mr. Speaker, Abraham Lincoln also addressed the meaning of mandates from the people who elect us. His 1861 speech in Pittsburgh as President-elect referring to the balloting behind him should admonish us today as we reflect on our own elections:

We should do neither more nor less than we gave the people reason to believe we would when they gave us their votes.

These are the Lincoln lessons. They are the Lincoln legacy.

As I prepare to commemorate Lincoln Day with friends and family in Fresno, Mariposa, and elsewhere in California's 19th District, I pledge that my service will remain faithful to Lincoln principles.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1995

Ms. WOOLSEY. Mr. Speaker, I was unavoidably detained during the vote on the Spratt-Moran amendment to expend the President's line-item veto authority to include tax loopholes. Had I been present for this vote, I would have voted "Aye."

HONORING DR. LAURA FLIEGNER

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1995

Mr. HINCHEY. Mr. Speaker, on February 25, my friends in Ulster County, NY, will gather to pay tribute to a woman who has dedicated years of service to our community. It is an honor and a privilege to ask that this body join me in tribute to Dr. Laura Fliegner, a woman of considerable talent and vision, who has served as district superintendent of the Ulster County board of cooperative extension since 1987.

It has been a personal pleasure to count Dr. Fliegner among my friends and advisors over the years. She is a woman dedicated not just to the education and training of our community's young people, but she is also committed to making the community more receptive and eager to participate in the many good works that she has initiated. Laura has a rare gift for conveying to a wide constituency the importance of our young people and the vital contribution that they can and should make to our community. In her capacity as liaison and board member to a wide range of service and business organization throughout the Hudson

Valley, she has been able to bring about programs and progress that have effected positive change for all of us.

Those of us who have been privileged to work with Laura over the years will sorely miss her continued participation in the betterment of our region. I thank my esteemed colleagues for taking this opportunity to recognize the public service that Dr. Fliegner has extended to the community at large.

SALUTING CUYAHOGA COUNTY
BAR FOUNDATION PUBLIC SERV-
ANTS MERIT AWARD RECIPIENTS

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1995

Mr. STOKES. Mr. Speaker, I rise today to salute eight individuals who are being honored as outstanding public servants. On Thursday, February 16, 1995, the Cuyahoga County Bar Foundation and the Cuyahoga County Bar Association will be hosting the 49th Public Servants Merit Awards luncheon at the Marriott at Society Center. On that occasion, eight individuals will receive the Franklin A. Polk Public Servants Merit Award. The individuals are: John D. Chmielewski, Rita B. Cloonan, Carrie Cook, Gail A. Dadich, Deidre Taylor, Sherman S. Terry, Jr., Robert C. Townsend II, and George F. Williams.

The Public Servants Merit Award is named in honor of Franklin A. Polk, a distinguished lawyer who chaired the Annual Public Servants Awards luncheon for 40 years. As the 49th Awards luncheon approaches, Frank will be remembered for recognizing the efforts and contributions of public servants.

Mr. Speaker, I take special pride in saluting the 1995 Public Servants Merit Award recipients. I want to share with my colleagues some information on these outstanding individuals. Mr. John D. Chmielewski has served his entire career with the clerk of courts. He currently holds the post as deputy of the criminal division office. Mr. Chmielewski is a native of Cleveland. He is a graduate of Holy Name High School, Cuyahoga Community College, and Cleveland State University.

Mr. Chmielewski can boast numerous accomplishments during his career. He is responsible for developing an integrated information system, which upon completion will link the county's various criminal justice offices. He is a member of the jail utilization committee which facilitated the design and construction of the new annex. In addition, he is credited with the development of the State's first updatable microfiche system for court system use; the creation of a bar-coded charge-out system for criminal files, and an optical imaging system to replace the photocopying process.

Mr. Chmielewski, who resides in Brecksville, is also active in his community. He has conducted various seminars for neighborhood community and records management principals, and coached for the Brecksville/Broadview Heights Soccer Organization. He is also a member of the Brecksville/Broadview Heights Band Boosters. He and his wife, Susan, are the proud parents of three children, Adam, Jason, and Laura.

Mr. Speaker, Ms. Rita Cloonan is also a native Clevelander, and a graduate of Charles F.

Brush High School. Her tenure with the Cuyahoga County Probate Court spans 24 years. She currently serves as deputy clerk/secretary for the court. During her career, she has worked in the account department, release of assets, and the application counter.

As deputy clerk, Ms. Cloonan schedules hearings, processes adversary complaints, assists attorneys and law clerks with court filings, and the general public in estates and guardianship filings. She is also responsible for compiling data and filing monthly status reports for judges and referees.

Ms. Cloonan is an active member of her community. She is a volunteer at St. Malachi Church, where she helps to feed homeless and needy individuals. She is also a member of the Westlake Irish-American Club, and coordinates the Ohio Irish festival. Ms. Cloonan is also politically active, serving as a campaign volunteer with the Rocky River Democratic Club. Bowling, gardening, needlework, antique shopping and travelling are just a few of her favorite hobbies.

Mr. Speaker, Mrs. Carrie W. Cook graduated from high school in Columbus, MS, where she was born, and has attended Cuyahoga Community College. At present she is enrolled at Moody Bible Institute. Mrs. Cook has been employed at Cuyahoga County Juvenile Court since 1970.

For the past 15 years, Mrs. Cook has supervised the traffic unit. In this post she is responsible for directing and coordinating activities of the department. The position also involves a close working relationship with other court offices and staff. Mrs. Cook's court tenure has also included providing administrative support to child support counselors and the Equal Employment Opportunity Commission manager.

Mrs. Cook is a member of First Bethel Baptist Church, where she is president of the gospel choir, a Sunday school teacher for the adult class and a member of the executive board. Her hobbies include reading, cooking, crafting, home decorating, and helping the needy. She and her husband, Arthur, will mark their 28th wedding anniversary this year. They reside in Cleveland Heights, and are the proud parents of a son, Ereik.

Mr. Speaker, Mrs. Gail A. Dadich is the next Public Servants Merit Award recipient. For the past 13 years, she has served as the journal department administrative assistant/court community service liaison for the Cuyahoga County Domestic Relations Court. A native of Berea, OH, she is a graduate of James Ford Rhodes High School.

In her current post, Mrs. Dadich reviews journal entries to make certain that all documents required by statute and local rules are attached. She also monitors contempt of court cases for compliance with the court's order for community service in lieu of jail time. Additionally, she fills in as acting bailiff and scheduler for the judges.

Mrs. Dadich and her husband, Dan, are residents of North Royalton. They are the proud parents of three children, Devon, Danny, and Derek. In her spare time, Mrs. Dadich enjoys cross-stitching, movies, and sports. She is an avid Cleveland Browns fan, and supports the North Royalton Soccer Club, where her sons are team members.

Mr. Speaker, the next honoree, Mrs. Deidre Taylor, has enjoyed a 24-year tenure with the courts. She is currently the administrative as-

stant to the Eighth District Court of Appeals. Mrs. Taylor is a native of Cleveland and a graduate of St. Augustine Academy. She is currently enrolled in Dyke College where she is working toward a bachelor's degree in management.

In her role as administrative assistant, Mrs. Taylor is responsible for budget preparation and personnel administration. She also oversees the purchase of furniture and supplies for the office. Prior to this assignment, she served as administrative clerk for the common pleas court.

Mrs. Taylor, and her husband, James, have been married 23 years and reside in Euclid. They are the proud parents of four children, Colleen, Katie, James, and Megan. Mrs. Taylor is a member of the East Side Irish-American Club, St. Felicitas School PTU and Boosters, and the Ohio Association for Court Administration. Her other activities include coaching girls' summer league softball and reading.

Mr. Speaker, Mr. Sherman Sumner Terry, Jr., has been employed by the common pleas court for 26 years. He is a native Clevelander and a graduate of John Adams High School. Mr. Terry currently serves as assistant chief scheduler in the central scheduling office. He is the former president and vice president of the bailiff and attaches association.

Mr. Terry is a decorated veteran who saw active duty in Korea with the United States Army's 40th Infantry Division, 160 Infantry Regiment, Company D, and attained the rank of staff sergeant. His military decorations include the Combat Infantryman Badge, Korean Service Medal with three Bronze Stars, United Nations Medal, National Defense Medal, Good Conduct Medal, and the Republic of Korea Presidential Unit Citation Badge.

Mr. Terry and his wife, Ruby, are residents of Shaker Heights. They have two adult children, Sherman III and Celeste, and a daughter-in-law, Gail. Mr. Terry is a Boy Scout leader and a volunteer for the United Black Fund. At the Fifth Christian Church [Disciples of Christ] he has served as treasurer, a member of the Christian men's fellowship and the male choir. Mr. Terry is also a gifted artist, an avid photographer, and enjoys travelling.

Mr. Speaker, our next honoree, Robert C. Townsend II serves as the chief bailiff for the Cleveland Municipal Court. He is a graduate of Glenville High School and Clark-Atlanta University. His previous positions with the court have included personal bailiff, deputy bailiff, equal employment opportunity compliance and personnel officer and deputy court administrator.

Throughout his career, Mr. Townsend has received special training in criminal justice and court administration. He has studied at Case Western Reserve University, Cleveland State University, and George Washington University. Mr. Townsend and his wife, Roberta, are the proud parents of a daughter, Alisa, and a son, Robert.

Mr. Townsend has been active in more than 25 community-based organizations where he has been an officer or board member. They include the Association of Neighborhood Councils, NAACP, Cleveland Magnet School Advisory Committee, Community Organizations for Community Progress, and the Corrections Planning Board of Cuyahoga County, just to name a few. He was honored as most

trusted volunteer by the Federation of Community Planning, and is the former chair of the Cuyahoga Metropolitan Housing Authority.

Mr. Speaker, the final honoree for the Public Servants Merit Awards is George F. Williams. Mr. Williams is a native of Knoxville, TN. He attended John Hay High School and Kent State University.

Prior to joining the Cleveland Municipal Court, Mr. Williams was employed at Precision Metalsmiths, Inc. Currently, he serves as a deputy clerk at the court, where he is the assistant supervisor of the criminal counter division. He has been employed by the Court for 26 years.

Mr. Williams is an active member of the Emanu-El AME Zion Church, where he is a member of the board of trustees and the victory chorus. His other hobbies include listening to jazz music and travel. Mr. Williams and his wife, Yvonne, have been married nearly 38 years. They are the proud parents of a son, George F. Williams, Jr., and daughter, Peggy J. Dunlap.

Mr. Speaker, I take pride in saluting the eight individuals who have been selected to receive the Public Servants Merit Awards. They have each exhibited a strong commitment to public service and personal excellence. I also commend the bar foundation and bar association for recognizing the importance of honoring employees who strive to make the court system work more effectively.

A BILL TO REVISE THE TAX
TREATMENT OF MUNICIPAL SECURITIES
PURCHASED AT MARKET DISCOUNT

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1995

Mr. CARDIN. Mr. Speaker, today I am introducing, along with my Ways and Means Committee colleague, Representative CLAY SHAW, legislation to repeal a provision of the 1993 tax bill that has reduced secondary market liquidity for municipal bonds and complicated the Tax Code unnecessarily. The existing law will likely make it more difficult for States and localities to invest in our Nation's crumbling infrastructure.

The provision in question changed the way certain municipal bonds are treated under the Internal Revenue Code and caused some of these bonds to be less attractive to investors. As a result of this provision, State and local issuers attempting to address America's chronically underfunded public investment needs may be forced to offer higher yields on their securities, which would drive up their borrowing costs.

Of critical importance to the success of the American system of public finance is the liquidity of the secondary market for municipal bonds. Investors are willing to accept lower rates of return on State and local government securities because of the tax exemption, but also because they know they can readily sell their bonds, if necessary, before maturity. It is this indispensable characteristic of the municipal bond market that was handicapped in 1993 by the Budget Act.

In certain situations, holders of municipal bonds seek to sell their securities at what is

known as a market discount. Market discount is the difference between the purchase price of a bond and its stated redemption price at maturity. In general, market discount occurs when a bond is purchased on the secondary market at a price below par or below the adjusted issue price. Market discount is typically caused by a rise in market interest rates or a decline in the creditworthiness of the borrower.

Before the enactment of the 1993 budget reconciliation bill, accreted market discount on a municipal bond was taxed as capital gain at the time the bond was sold, redeemed, or otherwise disposed of. A strong public policy argument can be made that, consistent with the tax exemption on municipal bond interest, market discount on State and local government securities should be exempt from taxation altogether.

However, the legislation Congressman SHAW and I have introduced today seeks only to restore the traditional capital gains treatment of market discount bonds. We believe that increases in the value of market discount bonds should be treated as capital gains, consistent with the standard treatment of increases in the value of most investments.

Under the new law, however, accreted market discount is taxed as ordinary income. Since they are now subject to higher ordinary income tax rates, market discount bonds have become more difficult to sell on the secondary market than other municipal bonds.

Furthermore, any security issued by a State or locality could become a market discount bond at some point during its life, so secondary market liquidity for all municipal securities has decreased. With the repeated rises in interest rates over the past year, the 1993 change has had dramatic consequences for the secondary market in these bonds.

The change to ordinary income tax treatment for market discount bonds also reduces their liquidity because investors cannot use capital gains on market discount bonds to offset capital losses. Investors in secondary market municipal securities now demand higher rates of return to compensate them for higher tax rates on discount bonds and for increased risk that the securities will be more difficult to sell.

The bottom line on the higher tax rates for market discount is that State and local governments could ultimately face higher costs in issuing securities to pay for much needed public infrastructure investment. Early anecdotal evidence suggests that yields on market discount bonds are as much as 25 basis points higher than they would have been under the old rules. These effects have been exacerbated over the past year as interest rates have risen and bond prices have fallen.

Moreover, the new market discount rule has resulted in a reporting nightmare for bond dealers, mutual funds, bank trust funds, and others who are required to sort out and document income to taxpayers. Some tax-exempt mutual funds have simply stopped buying market discount bonds altogether because of this complexity, further reducing the liquidity of and demand for these securities and driving up their yields.

The new market discount rules could result in higher capital costs for State and local municipal bond issuers, raise extremely complex financial considerations that repel investors, and provide little or no economic advantage to the Federal Government. As Federal and

State budgets get tighter and tighter, the importance of the tax-exempt market increases. For those reasons, I propose that Congress restore the law to its pre-1993 status.

The current proposal to cut the capital gains tax presents us with an opportunity to address this important issue. Consistent with that effort to encourage investment, we should reverse the destructive proposal enacted in 1993, and remove the penalty on investors and issuers it imposed. I encourage my colleagues to join me as cosponsors of this legislation.

TRIBUTE TO JAMES A. WILLIAMS

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1995

Mr. BORSKI. Mr. Speaker, I rise today to pay tribute to my good friend, Jim Williams, who will be honored as "Glazier of the Year" at the Glaziers, Architectural Metal and Glass Workers Union Local No. 252's annual stewards dinner on March 11, 1995.

Mr. Williams has been chosen for this honor because of his unparalleled dedication to the glazing industry and organized labor. As a third generation glazier, Jim has provided the members of local No. 252 with the finest training in the country, fair and decent contracts, and the access to a dignified retirement. His tireless efforts on behalf of all unionized workers will benefit the labor movement for years to come.

Jim Williams began his apprenticeship with Glaziers and Glass Workers Local No. 252 in 1968 upon graduating from Northeast Catholic High School. The next year he enlisted in the Army to serve our country in Vietnam. As an infantryman, he was awarded two Bronze Stars, the Army Accommodation Medal, and an Alr Medal. Returning home in 1971, Jim completed his apprenticeship and began work as a journeyman glazier. He was elected president of local No. 252 in 1975. He was subsequently chosen as business manager in 1979, serving until August, 1994, when he was elected to his current position as vice president of the International Brotherhood of Painters and Allied Trades.

As business manager, Mr. Williams made Glaziers Local No. 252 into a well respected and influential force in the Delaware Valley, with membership tripling. He personally oversaw the construction of a new union hall in the northeast in 1982, which has since expanded with an Apprentice Training Facility.

Jim Williams has also been very successful in many other areas. He has served as a member of the board of trustees of Temple University, and vice president of the Philadelphia Building Trades Council. In addition, he has been a board member of the Private Industry Council of Philadelphia and Special trustee and general representative of the I.B.P.A.T. Along with these esteemed positions, Mr. Williams has been honored repeatedly for his contributions to various organizations. In 1982, he received the prestigious UNICO Man of the Year Award. He was also chosen as Labor Man of the Year by the Israeli Bond Association in 1990, and in 1992 he received the Vietnam Veterans Labor Leader of the Year Award.

Along with his many professional accomplishments, Mr. Williams is respected as a traditional family man. He resides in Holland, PA, with his wife of 22 years, Gerrie, and their two daughters and two sons.

Mr. Speaker, I thank you for this opportunity to bring to the attention of the House the accomplishments of Mr. Williams, a dedicated and respected worker who has contributed much to both his profession and society at large. I commend Mr. Williams for these achievements.

LINE-ITEM VETO ACT

SPEECH OF

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2), to give the President line-item veto authority over appropriation Acts and targeted tax benefits in revenue Acts:

Mr. FAZIO. Mr. Chairman, there is no doubt that we must build on the progress we have made in getting the deficit under control. The line-item veto will help us do this by highlighting and eliminating wasteful and unnecessary spending. It will enable us to spotlight narrow interest items and make it difficult for them to be camouflaged in large, omnibus spending bills.

However, I have several serious concerns about the version of the line-item veto that is proposed in H.R. 2. H.R. 2 is not the solution to our problem. Although the underlying con-

cept is sound, the process yields disturbing results.

First, H.R. 2 drastically skews the balance of power in favor of the executive branch of Government. It transfers the most important power that our Constitution gives Congress—the power of the purse—to the President and could result in just substituting Presidential spending priorities for congressional ones. This shift in power raises the question of the degree to which we want to let a President use a punitive approach to force Members to vote for things they would otherwise oppose. The President could use these new powers to force Congress to increase spending on Presidential priorities. This could undermine the original purpose of the line-item veto, possibly resulting in more—not less—spending.

If the intent of this bill is to rein in congressional spending even more, it is important to realize that Congress has more than lived up to its responsibility to contain Federal spending. Over the last 15 years, Congress has appropriated less money than the President has proposed. Furthermore, over the past 20 years in which the President has had authority to rescind appropriations, Presidents have proposed \$72 billion in rescissions. During that same time, Congress has passed rescissions of \$92 billion—\$20 billion more than Presidents have requested.

Lastly, the bill's supermajority requirements are dangerous. If H.R. 2 is enacted as written, a President, along with a very small minority—only 34 Senators or 146 Representatives—would be able to override the decisions of elected majorities in the House of Representatives and Senate. Additionally, supermajorities tend to create gridlock. I can well remember the 1992 California State budget crisis when our State legislature and Governor were held

hostage because a two-thirds majority was needed to approve budget changes made by the Governor. The gridlock that this created demonstrates the need for a majority, not two-thirds, vote on a President's ability to change Congress' spending priorities. If we are serious about keeping gridlock out of Congress, we must support giving Congress an opportunity to overturn a President's decision by majority alone.

It is for these reasons that I support the alternative proposed by my colleagues Mr. WISE of West Virginia, Mr. STENHOLM of Texas and Mr. SPRATT of South Carolina. Their version of the line-item veto is identical to a bill that passed the House last year by a vote of 342–69. It requires a vote in the House—under accelerated procedures—on rescissions and vetoed tax benefits proposed by the President. Under the Wise-Stenholm-Spratt substitute, the President's rescission package becomes effective only if it is approved by the House and Senate. It therefore forces Members of Congress to be accountable for their votes on crucial budget issues. Yet, it preserves the constitutional balance of power and upholds the principle of majority rule.

There is still a great deal of work to be done if we are to continue our efforts to reduce Government spending and bring the deficit under control. We must continue to make sizeable reductions in Federal spending in order to sustain the economic growth of the past 2 years. That is why I support the goals of H.R. 2—uncovering and eliminating unwarranted, wasteful, and special-interest spending and tax breaks. But we need to do so without an extreme—and possibly counterproductive—shift in legislative power. In order to be effective, we must approach this honestly, fairly, and responsibly.