REGULATORY TRANSITION ACT OF 1995

SPEECH OF

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 23, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 450), to ensure economy and efficiency of Federal Government operations by establishing a moratorium on regulatory rulemaking actions, and for other purposes:

Mr. STOKES. Mr. Chairman, I rise in strong opposition to H.R. 450, the Regulatory Transition Act of 1995. We cannot and should not, in an attempt to reform regulations, shirk our responsibility to act in the best interest of the American people by totally curtailing essential regulations that protect the public. This flawed and hurried legislation will not only fail to truly reform the few regulations that need it but will endanger the American public by stripping away the services and protections Congress is obligated to provide.

The bill before us today, the Regulatory Transition Act of 1995, will not only attempt to undo many of the important accomplishments of the U.S. Congress, Federal agencies, and the President of the United States but also seeks to undermine many of our most important efforts to improve the quality of life for all Americans.

The stated purpose of the Regulatory Transition Act is to impose a moratorium on regulatory rulemaking actions by Federal agencies. The bill establishes a moratorium period beginning on November 9, 1994, and ending June 30, 1995. Except for a few special interest exceptions granted to friends of the new majority, any regulatory action taken during this period would be suspended until July 1, 1995.

While I agree that Congress should reform regulations where needed, this proposed measure goes well beyond this legitimate objective of balancing responsibilities. In fact, this bill is specifically designed to inhibit the will of the people by creating artificial obstacles to congressional support for programs the current majority has long sought to weaken, if not totally eliminate, including laws that protect the environment, strengthen crime control, and heighten worker and citizen safety.

H.R. 450 will have a devastating impact on the environment. As a Representative of the urban district of Cleveland, OH, I have witnessed the severity of the environmental problems this Nation and its inner cities now face. The quality of most urban air and water in this country is in dire need of immediate attention.

Mr. Speaker, without regulations concerning the Clean Water Act, the Clean Air Act, and or others promulgated by the Environmental Protection Agency or OSHA—all measures that represent significant steps toward remedying the effects of environmental devastation and injustice—the American people and all future generations will be harmed forever.

I am certain that no one in this House would want to increase the risk of disease, dysfunction, and premature deaths caused by exposure to toxic emissions from cadmium, lead, mercury, or dioxin. But that is exactly what H.R. 450 would do. It would slam the door on an EPA rule that would reduce emissions from cadmium, lead, and mercury from municipal waste incinerators.

Of equal importance is the negative impact of H.R. 450 on the FDA rule designed to ensure that mammograms for breast cancer detection are properly administered and interpreted. The breast cancer incidence rate in women increased from 85 per 100,000 in 1980 to 112.3 in 1991. This trend calls for more intensive breast cancer screening that includes mammography, a procedure which clearly reduces death from the disease. FDA regulation would enhance our effort to alter the course of the breast cancer epidemic. But none of these regulations written for the good of the public may survive and Republicans plan to dismantle the general public's Federal protection against needless death.

This bill will also significantly compromise citizen and worker safety. Last year, over 10,000 American workers died in the workplace. Another 70,000 were permanently disabled, and more than 100,000 contracted fatal occupational illnesses. H.R. 450 will greatly inhibit our ability to protect the American population from unsafe products, dangerous working conditions, and avoidable disasters. I cannot in good conscience endanger American workers by supporting this bill.

In addition to endangering the health and lives of Americans, approval of H.R. 450 would result in additional Government waste. Surprisingly enough, the antilitigation Republicans have included in this legislation provisions that will lead to a proliferation of administrative lawsuits. H.R. 450 creates a new cause of action for those who claim that they have been adversely affected by Agency action. This law will lead to a myriad of lawsuits brought by anyone who does not like some regulation created by the Federal Government, wasting time, money, and limited Government resources.

Mr. Speaker, this legislation is unprecedented in its scope. Few areas of Federal regulation will be unaffected by this measure, yet, with very little opportunity for open hearing, and with limited debate, this act has been placed before us. A measure of this kind requires detailed analysis of the impact it may have on the American people, but no such review has or will take place. In the current rush to force this bill to the floor of this House, the will of the American people will certainly be compromised.

Furthrmore, Mr. Speaker, this legislation will not only have a dramatic and disastrous impact on future regulation, it will also affect existing regulations. Important rules essential to efficient clarification, tailoring, and consolidation, by enhancing standards, or by enhancing the scope of the original regulation, will all be inhibited by this bill.

Important measures placed in jeopardy by this proposed legislation include virtually every aspect of governmental activity, from the protection of our citizens' civil rights to ensuring safe food and drink for our children. Any proposed regulation that is designed to protect workers and citizens from unnecessary injury, protect the environment, or promote equity, will be subject to exclusion under this bill.

Mr. Speaker, it is my belief that H.R. 450 and the circumstances under which it is presented in this House is an attempt to mislead the American people to believe that cookie-cutter, simplistic solutions will cure what ails this Nation. Nothing could be further from the truth. As our Nation faces an epidemic of pollution, discrimination, and poverty, the solution to these problems will not be found in quick fixes like H.R. 450. The American people elected us to act in their best interest, not compromise their welfare because Government refuses to have the courage to meet its obligations. I urge my colleagues to vote against this bill.

GOP WELFARE PLAN IGNORES WORK

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 1995

Mr. MILLER of California. Mr. Speaker, the so-called welfare reform legislation developed by Republicans fails to address the single most urgent need for ending the current welfare system: putting people to work.

The Republicans have walked away from their early commitment to work as a key component of welfare reform. In the Contract With America, half of the welfare caseload would have been required to work by 2003. And the contract promised nearly $10 billion to pay for the new work requirement programs; the pending Republican bill has no money, and no work programs to speak of. In fact, as the New Republic points out, the great model program in Michigan by Republican leaders would authorize activities like checking a book out of a library as constituting work activity.

The Democratic leadership of the House, together with the Clinton administration, has endorsed a much tougher policy that would require recipients to accept work and training, and would require States to provide welfare recipients with a plan for moving from dependence to self-sufficiency.

Only in such a way will we end not only welfare, but poverty, too. By contrast, the Republican legislation promises only to throw people off welfare, whether or not any effort has been made to prepare them for self-sufficiency. The Republican scheme will mean millions of former welfare recipients without jobs, without homes and without any way to provide for their children. It will mean even more homelessness and huge additional costs for local communities and property taxpayers who will have to support this army of the impoverished through local general assistance programs.

In short, the Republican plan is not to end poverty, but to throw people off welfare. That will solve neither their problems, nor ours. We cannot allow the Republican plan to masquerade as welfare reform.

[From the New Republic, March 13, 1995]

WORKFARE WIMP-OUT

(By Mickey Kaus)

Call me naive, but I almost believed House Republicans when they pledged in their ''contract'' to reform welfare through ''a tough two-years-and-out provision with work requirements.'' Making welfare recipients work, after all, is wildly popular (if it weren't, it wouldn't be in the contract). Newt Gingrich's political action committee once even listed ''workforce'' as one of the ''Optimistic Positive Governing Words'' it recommended to fellow revolutionaries. I figured Gingrich himself had talked so much about the need for a ''mandatory requirement of work for everybody'' that he might