RISK ASSESSMENT AND COST-BENEFIT ACT OF 1995

SPEECH OF

HON. CARDISS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1022) to provide regulatory reform and to focus national economic resources on the greatest risks to human health, safety, and the environment through scientifically objective and unbiased risk assessments and through the consideration of costs and benefits in major rules, and for other purposes:

Mrs. COLLINS of Illinois. Mr. Chairman, I have many of the same concerns about H.R. 1022 as I did about the regulatory moratorium bill and the unfunded mandates bill when they were considered on the House floor. Rather than improving the efficiency of Government, these bills establish complex procedures and endless possibilities for legal challenge.

Each of these bills, for example, provides for judicial review of agency decisions. this simply means that clever lawyers can tie up regulations and other agency actions in litigation for months, even if an agency thinks it has acted within its authority.

This is an especially critical problem for health and safety matters that may need to be exempted from requirements risk assessment, cost benefit analysis, and peer review under H.R. 1022. With the courts looking over their shoulders, agencies may be inhibited from acting quickly when quick action is needed to save lives.

I do not believe that making it more difficult for agencies to protect the public health and safety is something the American people, nor I hope most of my colleagues, would support.

I also believe it is wrong to force all regulations to go through the same type of risk assessment, cost-benefit analysis, and peer review, as provided in H.R. 1022.

If we let risk assessment become our goal, rather than a tool to achieve our goal, then risk assessment itself can be harmful and an obstacle to serving the public interest.

What happened in the early years of the AIDS outbreak is a good example. In the early 1980's, a few scientists proposed that AIDS could be transmitted to others through transfusions of blood from a person with the AIDS virus.

The Food and Drug Administration and the blood products industry thought there would be alarm and panic, if the public were warned of this possibility. Instead, they insisted they had to be absolutely sure before they could say anything publicly.

As a result, all kinds of risk assessments were done—Comparison risks, substitution risks, as well as cost benefit analysis. For more than 2 years, the proposal that AIDS could be transmitted through transfusions was analyzed before evidence was so overwhelmingly conclusive, that the FDA and the blood products industry finally issued their warnings to the public.

During that 2-year period, tens of thousands of people were exposed to AIDS contaminated blood. Had the blood banks initiated their policies earlier to screen for AIDS contaminated blood, countless lives could have been saved.

The lesson to be learned from the FDA's experience is that agencies need flexibility. A one-size-fits-all approach to risk assessment and cost benefit analysis can be harmful and contrary to the public interest. We need to be encouraging agencies to evaluate possibilities, but we do not want to insist that they continue to perform risk assessment and cost benefit analysis in order to satisfy some requirement of law, when what they are looking for might be right in front of their eyes.

For this reason, I oppose H.R. 1022 and believe that rather than reducing regulatory burden, its most significant effect will be to prevent Federal agencies from performing their most important function: protecting the public health and safety.

I urge may colleagues to oppose this legislation.

SUPPORT FOR FEDERAL NUTRITION PROGRAMS

HON. TIM JOHNSON

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 3, 1995

Mr. JOHNSON of South Dakota. Mr. Speaker, today I wish to express my strong support for our Federal nutrition programs—especially the school breakfast and lunch programs and the WIC program. I am very concerned about the Republican proposals to dismantle these programs, decrease their funding, and change their very nature.

It is inexcusable that so many children in this Nation live in poverty and that we have one of the highest infant mortality rates of any industrialized country in the world. We must make an aggressive effort to direct our limited resources towards our most precious resource—our children.

The WIC program is one of the very few Government programs that has been recognized as a success by people from all parts of the political spectrum. Studies have shown that WIC reduces low birthweight babies, premature births, and infant mortality. Every dollar spent on WIC produces a savings of between $1.77 and $3.13 in Medicaid expenses. Similarly, the school breakfast and lunch programs have been proven to be very effective. It has long been recognized that hungry children are unprepared to learn, and for this reason school nutrition programs have enjoyed bipartisan support for years.

Mr. Speaker, while I am well aware of the fact that we need to examine all Government programs to ensure that Federal funds are being spent effectively and to work towards our goal of a balanced budget, I am quite concerned about the Republican proposals affecting nutrition programs.

I am very concerned about the effect of replacing Federal programs such as these that are recognized as effective with 50 different State programs. If our goal is to reduce bureaucracy, how does creating 50 new programs help meet that goal?

In addition, if we are seeking to reduce costs, why does the Republican proposal repeal the competitive-bidding requirement for the selling of infant formula to WIC? This provision has contained costs in the program by cutting the cost of providing formula by nearly $1 billion in 1993—nearly a two-thirds reduction in the program's expenses. Repealing this provision will take a billion dollars of the taxpayers' money and turn it over to four pharmaceutical companies. Is this really the best use of our limited resources?

I am also concerned about the elimination of Federal nutrition standards. These standards have improved the nutrition and health of low-income families and help ensure that our children have access to healthy meals at school. We have no assurance that these standards will continue to be met at the State level—what will keep us from returning to the days of ''ketchup as a vegetable?''

Finally, I am concerned that the block grant approach to school breakfast and lunch programs will shut needy children out of the program and reduce the ability of the program to respond to increases in the school-age population, inflation of food prices, and/or changes in the economy. USDA estimates that my State of South Dakota stands to lose over $28 million from child nutrition programs from fiscal year 1996–2000.

I ask my colleagues to think long and hard about making such drastic changes to programs that work—is it really good policy to experiment with the health and well-being of our children to pay for tax cuts for the wealthy?

IN HONOR OF CHARLES KERR, IRISHMAN OF THE YEAR, 1995

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, March 3, 1995

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to Charles Kerr, Irishman of the Year, 1995, who will be honored at this year's St. Patrick's Day parade in Jersey City. Mr. Kerr is among the many Irish-American men and women who have helped make this country great.

The Irish have been immigrating to the United States since the early part of the 19th century. In that time, they have made many contributions to this country. They have distinguished themselves at every level of American society. As Irish-Americans have built their businesses, so have they contributed to the economic prosperity of this Nation. As they have grown politically, they have contributed to government on the local, State, and national levels. Their devotion to family and friends demonstrates that much can be accomplished when people work together in harmony.

At home, Irish-Americans have worked hard to protect all of us from crime and fire. They have put their lives on the line to help ensure the safety of their fellow citizens. The long, proud tradition of Irish police officers and firemen scarcely needs to be mentioned. However, the Irish have not only been good neighbors at home, they have also put their lives on the line when they have fought to defend this Nation against our foes in every major conflict over the last 200 years.

Charles Kerr is part of this great Irish-American tradition. He was born and raised in Jersey City. His parents lived there for 90 years. Throughout his life, he has made many contributions to the community and has been actively involved in the religious community.