tribe following their commitment to the private project. The private project was reject by the tribal membership in a referendum held last month.

The Tonkawa tribe in Oklahoma was in the process of concluding their initial consideration of the project when I took Office. Following one meeting with the tribal leadership, and prior to any opportunity to have any broader discussions with the tribal membership, the tribe rejected the project in a referendum on August 12, 1994.

The Fort McDermitt Paiute-Shoshone tribe in Oregon and Nevada decided in 1994 to defer active consideration of the project. Prior to this decision I was able to meet with the tribal leadership and visit the reservation. I was also able to meet with county officials in Humbolt County, Nevada, and Malheur County, Oregon, as well as participate in a community meeting in the town of McDermitt. Since the tribe's reservation straddled the state line, even though the site would be on the Oregon side of the reservation, the tribe was very active in including the two counties and the community in meetings, tours, and citizen advisory groups. The tribe's deferral in 1994 was due to the gubernatorial contest underway in Oregon. I should note that the tribe had their first meeting with a representative of the newly elected governor in January of 1995. Based on the meeting, the tribe is optimistic that the new governor will be receptive to discussing the merits of the project based on sound science, notwithstanding the closure of the Office.

The Skull Valley Goshute tribe in Utah continued to pursue the project aggressively right up to the closure of the Office. We completed a cooperative agreement with the tribe for $48,000 to support the development of a framework for negotiating an agreement for the tribe to host a storage facility on their reservation. The development of the framework was also to give each party an indication of whether we seemed to have the ability to work constructively together. Over the last half of 1994, in negotiating the cooperative agreement and the framework for future negotiations, I found that we indeed had the ability to communicate and work effectively together. I was optimistic about the prospects of entering into formal negotiations with the tribe.

At the time we began discussions to develop the cooperative agreement with the tribe, we notified the state and county that cooperative agreements were also to be made available to them if they wished to participate at this time. Within days of completing the cooperative agreement with the tribe, we signed cooperative agreements with Tooele County for $18,000, and the University of Utah for $25,000. The University was interested in conducting an analysis of the economic and transportation impacts of a storage facility on the reservation, and the County intended to use their money to have the University do the same type of analysis on a county basis.

In early December 1994, the Office sponsored a trip to the Idaho National Engineering Laboratory for all members of the tribe interested in seeing and learning about the storage of spent fuel. Approximately one-fifth of the tribal membership participated in the trip, and the response was very positive.

On the week the Office closed, I received a completed framework for negotiations signed by the tribal chairman. Had the Office not closed I would have signed the framework and the tribe and the Office would have then been in formal negotiations. I cannot say that this would have necessarily led to a completed agreement to be sent to Congress, but I do know that to have even reached this stage was unprecedented.

The work on the County analysis was stopped, but the University report, based on costs already incurred, is to be completed sometime later this month. I have directed that a copy of the report be sent to the Office of Civilian Radioactive Waste Management at the Department of Energy, with hopes that they may be able to use it in their future work.

In addition to working with the tribes that I inherited, I initiated contacts with the office in the Pentagon that manages base closures to determine if closed bases offered any siting opportunities. After providing them a list of criteria, we received a listing of possible base closures that might have the size and access needs of a storage facility. We pursued each of those leads and at the time of Office closure we were continuing to have discussions with the base closure committee for the Wurtsworth Air Force Base in Michigan. In the final analysis, much of the prior land use planning for the closed bases precluded consideration of the storage facility.

In pursuing the challenges of seeking to work directly with governors or their representatives, I employed what I would term quiet diplomacy. This is the way that I believe that Congress intended for the Negotiator to function and it is indeed the only way that meaningful communications outside of the public posturing imperatives can occur. It was very effective. A free flowing dialogue was, and I believe would have continued to be possible with many state executives. I can report that since the presentation discussed above was put together, I had established good lines of communications in three states, and I was in the process of working to expand that number. It is specifically this aspect of the program and my efforts in this area that leave me with the greatest sense of lost opportunity.

CONCLUSION

I have concluded that the management, storage, and disposal of nuclear waste presents one of the greatest challenges to the principles of federalism. I cannot say for certain that my efforts would have resulted in a state willingly accepting spent fuel storage, but I do know that the opportunity for meaningful discussions existed. What I can say for certain is that discussions I would have had with many governors would have resulted in a greater awareness and understanding of the controversial, emotional, and politically charged issues that surround spent fuel. This is a problem that is not going to go away. Unfortunately, this Office may have been the last chance to develop mutually agreeable solutions. With its demise we as a Nation are left with an unhealthy reliance on Federal supremacy at a time when mutual solutions to issues such as this are more important than ever.

TERMINATION OF MISSION-CLOSURE

The termination of the mission of the Office is occasioned by a legal cloud over our authority to continue operations. Congress had appropriated adequate funding for the full fiscal year, but there was a question raised in early January about the basis of authority for such continued operations. As part of my aggressive pursuit of the opportunity to complete my mission, I obtained the opinion of outside legal counsel on the question of the authority to continue operations of the Office until the end of this fiscal year. That outside legal opinion concluded that such authority existed.

This opinion was reviewed and concurred with by the General Counsel of the Office of Management and Budget. I am advised that the same conclusion was reached by the General Counsel of the General Services Administration. However, I was told that the Legal Counsel for the Department of Justice reached a contrary conclusion. Given the sensitive nature of the work underway, and the recognized urgency to make real progress this year, the resolution of these conflicting views would create significant obstacles and take time that I did not have. It thereby essentially negated any chance of my succeeding with the mission of the Office. As I said at the time I was confirmed by the Senate, I have no interest in keeping the Office open if there is little or no likelihood of success.

During the short period of orderly shutdown and closure of the Office I secured an audit of our financial records by an independent outside accounting firm. The report of that audit concluded that at closure all financial records and accounting practices were in order.

Over the past fifteen months I have had the good fortune of a dedicated, hard working, and highly competent staff. I'd like to take this opportunity to express my appreciation for the efforts of Michael Campilongo, Gary Catron, Maureen Conley, Henry Ebert, Martha Fitzsimmons, Brad Hoaglun, Tom Lien, Bob Liimatainen, Bob Mussler, Angie Neitzel, and Jennifer Stone.

I am very appreciative of having been asked by the President to serve in this Administration. It was an honor and a privilege to have had the opportunity to accept this challenging assignment.

Sincerely,

RICHARD H. STALLINGS,
Negotiator.

TRIBUTE TO MURIEL M. DOUGHERTY

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 1995

Mr. SAXTON. Mr. Speaker, Monday, April 3, 1995, marked the first official day of long-deserved retirement for my associate and friend for many memorable years, Muriel M. Dougherty. After having worked with me for almost 22 years, most of them as a public servant, Muriel will now blissfully enjoy the fruits of a leisurely life, including the company of her 5 children and 13 grandchildren.

Muriel first worked with me as secretary in the real estate firm of Saxton, Imlay and Falconer, earning her real estate license along the way. In 1975 when I began my political career as a New Jersey State Assemblyman, Muriel became my legislative assistant, working diligently in her new position, as always.

After 6 years, she moved with me to the New Jersey Senate. Because Muriel is a completely trustworthy, competent, and people-oriented individual, I was always able to concentrate on my legislative duties in Trenton, while leaving the administrative responsibilities to her.

In 1984, when the opportunity arose for me to run for a seat in the U.S. House of Representatives, Muriel was the first to say in her usual enthusiastic way, ''Go for it!'' During those hectic days, she would take care of just about anything that needed to be done, always competently and with a smile; and would often use her free time to help with campaign activities.

Upon taking my seat in the House on November 9, 1984, Muriel became office Manager for my Mount Holly district office, where

she has served faithfully and tirelessly for over a decade.

During our many good years together, Muriel has served not only as my employee, but also as a trusted friend, always willing to go the extra mile to help her boss with whatever needed to be done. From knowing the proper way to address the President to soothing unhappy or angry constituents, she always knew the proper way to do things. Her sensitive and able assistance to the numerous constituents in my district has always made my job much easier.

And, as a friend to her co-workers, who looked at her as a teacher, she has won praise and admiration for always handling things just right.

I, as well as my entire staff, will very much miss Muriel's calm demeanor and gracious manner. Her legacy of excellence will be felt in my office for a long time to come. One thing for sure is Muriel will rarely be found at home. She loves to travel and visit places of interest with her many friends. We wish her health and happiness in the years ahead. She truly deserves it.

OPERATION OF THE GRAND LAKE, CO, CEMETERY

HON. DAVID E. SKAGGS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 1995

Mr. SKAGGS. Mr. Speaker, I am pleased to introduce today legislation that will authorize an important and unique management agreement between the National Park Service and the town of Grand Lake, CO. This agreement will grant to the town the permanent right and responsibility to manage its century-old cemetery that is now inside the boundary of Rocky Mountain National Park.

This bill, on which my colleague from Colorado, Mr. MCINNIS, joins as a cosponsor, matches legislation introduced earlier this month by our State's two Senators.

The cemetery legislation is based on extensive negotiations between town and national park officials, with both groups supporting it.

Under the agreement, the cemetery will remain inside the national park; no boundary adjustments will be made. Normally, such a situation would be handled through a park service special use permit, which must be renewed every 5 years. Such a short-term permit is not appropriate for a site like this one.

The area to be used and managed by the town is precisely defined and limited to avoid future disputes. The agreement reflects an important spirit of cooperation and good will between the town and the Federal Government.

I recommend this legislation to my colleagues in the House, and I urge swift action on it.

TRIBUTE TO JEFF KATZ

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 1995

Mr. BURTON of Indiana. Mr. Speaker, I would like to pay tribute to Jeff Katz, a radio talk-show host in my district. Jeff's wonderful insights blasted the Indianapolis-area airwaves during the evening drive-time slot on WIBC. Jeff's program played a very integral role in the recent Republican revolution. You see, Jeff is one of the gaggle of conservative talk-radio hosts who helped spread the word before last fall's telling elections. Their courage and ability to bring moral, social, and political issues into the publics' eye had a very positive impact on helping the Republicans gain control of the Congress last November. Jeff continues his good work even today.

Jeff Katz has been a good friend of mine, and unlike some in the mainstream media, he covers issues fairly and honestly. Jeff is moving to the Sacramento, CA, area to another radio station. I wish him well and will miss him. While central Indiana is losing one of the finest talk-radio hosts in the country, the people of northern California will be gaining a very talented and capable radio personality. Jeff, thank you for all of your hard work, and best of luck.

H.R. 1386, THE CLINICAL LABORATORY ACT AMENDMENTS OF 1995

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 1995

Mr. ARCHER. Mr. Speaker, I am introducing H.R. 1386 to reduce the burdens on physicians who perform laboratory tests in their offices and thereby, improve patient care and reduce patient costs. The Clinical Laboratory Improvement Act of 1988 [CLIA] has greatly increased health care costs associated with laboratory testing. Some physicians have reported that compliance with CLIA regulations have more than doubled the cost of providing tests in their offices. In fact, the Health Care Financing Administration estimated in 1992 that CLIA would add between $1.2 billion and $2.1 billion annually to the cost of performing clinical laboratory tests in a physicians office.

The CLIA 1988 restrictions have caused thousands of physicians in their offices to discontinue all or some portion of essential clinical laboratory testing on site. This creates a barrier to patient compliance with diagnostic and treatment protocols and causing patient inconvenience. For example, for many tests a patient must be referred to an outside laboratory to have the specimen taken and tested. This poses a substantial hardship for many patients, most notably the elderly, the disabled and families who live in underserved areas. Oftentimes these patients cannot travel or find someone to taken them to these facilities. The result is that they do not obtain the necessary test which may interfere with their treatment.

I hope that my colleagues, on both sides of the aisle, will join me in supporting this legislation which will reduce health care costs and improve the ability of patients to receive appropriate laboratory tests conveniently and in a timely fashion.

AN HONEST DIALOG WITH MY CONSTITUENTS

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 1995

Mr. FRELINGHUYSEN. Mr. Speaker, since the November election, there has been a lot of national attention on the U.S. House of Representatives, the Republican majority and the Contract With America.

During all of this, I have been honored to serve 3 months as a Representative in Congress. It has been a time of both great change and opportunity. More than 7,000 constituents have taken the time to write or call me, visit my office or attend one of my town meetings.

Having read each of their letters and listened to their concerns, I have learned that we share common goals—putting our Nation's fiscal house in order, and balancing the Federal budget, making Government more efficient and more accountable, and preserving programs that actually work, that serve the national interest and that take care of the most needy in our country.

Unlike a lot of the media commentary on the contract and the speechmaking in Washington, their letters have expressed these concerns in very real terms.

Families are worried about financing their children's college education but are also concerned about whether or not the future holds the same opportunities for their children that we enjoy.

The people who serve the needy in our communities worry about Federal aid cuts but also feel they could do more with the money if there were less Federal strings attached.

And, thousands of constituents just ask why the Federal Government cannot balance their budget like American families do. People just cannot comprehend, and quite frankly neither can I, a national debt of over $4.5 trillion and annual deficits of $200 billion.

Many people have offered imaginative and sensible ideas about how to address these concerns and I sense a real willingness to try new approaches, including doing more with less if it means making real strides on our budget problems. Most important, there is once concern that weighs on all of us—our children's future and whether or not we leave them debt-free or debt-burdened.

In the pass 3 months, many citizens feel that we in Washington have started the process of really listening, and taking real steps to address their concerns.

Whether we agree or disagree on the specifics, the direction is clear:

They want accountability. We changed the way Congress conducts business. We brought term limits to the House floor for the first vote ever. We required Congress to live by the same laws as everyone else. We opened all committee meetings to the public and press, and we limited chairmen to a term of 6 years, probably the single most effective way to dismantle the arrogance of power that characterized past Congresses.

They want us to make the tough choices. We passed the balanced budget amendment and the line-item veto. And, we passed a first installment of $17 billion in real spending reductions.