

EXTENSIONS OF REMARKS

BROWNFIELDS LEGISLATION INTRODUCED

HON. SHERROD BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1995

Mr. BROWN of Ohio. Mr. Speaker, today, I am introducing legislation along with my colleagues Mr. DINGELL of Michigan, Mr. GEPHARDT of Missouri, Mr. BORSKI and Mr. KLINK of Pennsylvania, Mr. RUSH of Illinois, Mr. STOKES of Ohio, and Mr. MANTON and Mr. TOWNS of New York, to address the dire need for the development of so-called Brownfields.

Those of us who have seen industries come and go in our congressional districts know the problems resulting from land that had been used for industrial purposes which is now abandoned—left barren and often contaminated—with no hope of productive use. Our legislation will address this problem in four important ways.

First, the bill would establish a grant program for local communities to use to determine the extent of the contamination of the property. While many sites could be re-developed with a minimal investment, local communities cannot be sure of this until the assessment is done. This bill offers these communities an opportunity to assess the situation so that prompt action can be taken to clean up the site.

Second, this legislation would establish a revolving loan fund for local governments to fund the actual clean-up actions. Mr. Speaker, we know it is essential that we be fiscally responsible in the development of new Federal programs. For this reason, we established a loan program for the local governments to assist them in getting the land to a place where it will begin to produce revenue. But we require the loan to be repaid over 10 years—a time frame which allows them the opportunity to begin to recoup their investment.

Third, the bill would protect the purchaser of such properties as long as the purchaser does due diligence to find the problem and cooperate with the clean-up response. Under the current Superfund law, purchasers could be liable for clean-up even if they did not own the land when it was polluted. This provision should help attract new purchasers to these lands and encourage the voluntary clean-up of sites.

Fourth, and finally, the bill would protect the lending institutions from becoming the deep-pockets at sites where their participation was limited to the lending of money. Unfortunately, the current laws has allowed innocent lenders to be held liable for the clean-up of properties for which they provided the financial backing and nothing more. It is contrary to the intent of the Superfund Program to discourage voluntary clean-up actions such as those that would be backed by financial institutions. Yet, that is the result of the current law. Institutions are afraid to lend the financial backing when they could be held liable for millions in clean-up costs.

Mr. Speaker, I believe our legislation will provide a boost in the arm to local communities across this nation which are struggling to re-create productive properties. It will revive local economies, reduce threats to public health and improve the environment. I hope my colleagues will offer their support by co-sponsoring this bill.

A TRIBUTE TO KANWAL SIBAL

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1995

Mr. GILMAN. Mr. Speaker, during the past 3 years the relationship between the United States and the Government of India has dramatically improved. India is no longer a country with which our Government has a reserved relationship. It is now a nation which is one of our Nation's major emerging markets. There are many reasons for the improvements in our relationship with India.

Prime Minister Narashimha Rao has embarked on a bold economic reform program which has made our Nation India's largest trading partner. India's Finance Minister, Manmohan Singh, has worked tirelessly to build economic bridges between the Indian consumers and important American companies. Our diplomatic relationship with India will only succeed, however, if the Indian Embassy successfully conducts its relationships with the Congress, the State Department, and other agencies of our Government. During the past 3 years the Indian Embassy has been an important player in our nearly improved relationship with the world's largest democracy.

Mr. Speaker, Kanwal Sibal has served in Washington with distinction for the past 3 years as the Deputy Chief of Mission. Prior to coming to Washington, Kanwal Sibal served as India's Ambassador to Turkey. Now, with the completion of a successful tour in Washington, Kanwal Sibal is about to become India's Ambassador to Egypt.

Mr. Speaker, I know many of my colleagues join with me in congratulating Kanwal Sibal for the successful completion of his assignment to Washington. I call to the attention of my colleagues an article which appeared in the July 14, 1995, edition of News India-Times regarding Kanwal Sibal's years here in Washington. I know my colleagues will agree with the praise accorded to Ambassador Sibal. Kanwal Sibal will be missed in Washington, but I am certain he will ably represent his nation in Cairo and I request that the attached News India-Times article be printed at this point in the RECORD:

[From the News India-Times, July 14, 1995]

SATISFACTION AT THE END OF A SUCCESSFUL
INNINGS

(By Tania Anand)

WASHINGTON.—“The canvas is huge, the players numerous. No embassy or government can be in control all the time. One has

to be genuinely modest about making any claims or reordering India-US relations.” The man reflecting is Kanwal Sibal, deputy chief of mission at the Indian embassy. Having completed three years as the chief of the IFS battery in Washington, Sibal will make way for Shyamala Cowsik, who takes his place on September 1.

In an extensive interview with News India-Times at the end of an eventful term which saw India move from an inconsequential point outside the US radar screen to a centerpoint as one of the foremost Big Emerging Markets identified by the US government, Sibal was modest about his role in the transition.

“A lot of our progress is thanks to policies back home. My role, as part of the team, has been essentially consolidating on the positive trends that are occurring.” Following are excerpts from the interview, conducted in two sessions in his office last week.

On Indo-US relations when he assumed office in September 1992: There were a lot of uncertainties in our relationship. There was a lack of confidence in US intentions toward India. We were feeling US pressure specially on the nuclear proliferation issue and within a few months on human rights. There were sanctions on ISRO the technology transfer issue culminated in pressure on Russia to cancel the cryogenic engines, there was concern on intellectual property rights. There was pressure from Congress on Kashmir and Punjab and generally on human rights.

The atmosphere in relations between the two countries became even more difficult by statements made on Kashmir which seemed to suggest a reopening of the accession question there was a third party to the Indo-Pak dialogue on Kashmir.

The economic reforms process was not more than a year old and had not begun to register either at the government or at the business level. From the government point of view India was not blinking on the US radar screen. It was very difficult to get the attention of the policy-makers.

On relations today in general: Today on all fronts the scenario is much better. It has obviously been a team effort where everybody has contributed. Yet having said that I will take some credit for the contribution.

Our relationship with the US is highly complex. The US is the world's foremost power, we are not. In many areas, the US holds the strong hand vis-a-vis all countries. This makes the task of dealing with the US a challenging one. The decision making process here is complex. The capability of innumerable agencies to block a decision here has to be understood. These non-governmental agencies are powerful but from our point of view irresponsible. They do not think in a narrow agenda and push it to the maximum. Yet the overall atmosphere has improved vastly.

On nuclear proliferation: We have certainly made significant advance in persuading the American side that India's security dilemmas cannot be adequately dealt with within the India-Pakistan or South Asian framework. The US is no longer persisting with a proposal that would limit the nuclear no-proliferation dialogue to just India and Pakistan. There have been no new pressures on India on the NPT front despite its indefinite extension.

Mode of communication: A significant advance following Strobe Talbott's visit to

• 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.

India was to take the dialogue on issues away from the glare of publicity. The US government recognizes today that public pressure on India will not help.

On human rights: There has been a significant change in the US public position on human rights in India and the tone of comments. They publicly recognize the significant work done on this front in India and the National Human Rights Commission has been well received.

On the India-Pakistan issues: We might have wanted the US to be more positive in its support for Indian positions and more willing to take public and official cognizance to Pakistan's continuing support to terrorism in India. The US has acknowledged the fact that India has made serious and genuine efforts at dialogue on Kashmir. They are also willing to acknowledge that elections would be a good route to follow in promoting democratic processes.

They have not supported Pakistani efforts at New York or Geneva to move resolutions against India. The kind of negative statements that were being made by some elements on the US side have not been reiterated—there is a greater sense of measure in comments being made. The joint statement between President Clinton and Prime Minister Rao clearly said all issues between India and Pakistan should be resolved bilaterally.

On transfer of technology: The ISRO sanctions have not been renewed. Yet on the issue of transfer of technology more work needs to be done. Still, we have moved from a position where we were deeply concerned to a dialogue.

On relations with the Congress: We have made a very major advance in our relationship with individual Congressmen and Senators and in the general mood of Congress.

The India caucus which was the first individual country caucus on the Hill is a big asset. It is bipartisan with 61 members and gives us a platform on which to build our relationship with the Congress. The crowning success of the caucus has been the recent defeat of the Burton amendment which was sprung upon the House with no lead time. It was the sustained contact with the Congress and the Indian-American community that helped defeat the move.

On the economic relationship: Certainly, India has begun to blink on the U.S. radar here. Five high-level visits in one year is unprecedented—four Cabinet level visits plus the visit of Mrs. Hillary Clinton. It has led to others wondering what this signifies in Indo-US relations.

We have been working closely with the India Interest Group to give it a certain profile, getting incoming visitors from India to meet them as a group and also getting them high-level appointments when they visit India. We have also been trying to forge a close working relationship between the India Interest Group and the India Caucus to make them mutually reinforcing.

On defense ties: It has been our effort to build a closer relationship with the Pentagon because during the Cold War the fact that the Pentagon was neglected has not helped our overall relationship. It has been our conscious effort to develop greater links with Pentagon and there has been a substantial improvement in our dialogue with them on various issues.

On India's lobbyist: It has been both a process of learning and achievement. It was a new experience, starting from scratch, and has resulted in a multiplier effect of our own efforts.

On relations with Indian-American community: We have vastly improved the mechanics of interaction with the Indian-American community for grassroots campaign. We

have developed a list of important Indian-Americans who have credible political links and supply them regularly with information on developments in India and Indo-U.S. relations. Over the last three years we have taken several steps to transform what was earlier a disorganized and unfocused effort into a highly systemized and focused effort.

TITLE X OF H.R. 2127

HON. KAREN MCCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1995

Ms. MCCARTHY. Mr. Speaker, today I walk with my head held high and with great pride as a Member of the U.S. House of Representatives. Last night Members from both sides of the aisle stood together and said to families across this Nation that their Government does support title X funding. Title X is part of the Public Health Service Act, sponsored by then-Congressman George Bush, and signed into law by President Nixon in 1970. I am proud to be a part of a majority in the U.S. House of Representatives with the common sense to set family planning funding as a priority.

The title X program has been reauthorized six times since 1970 and has always received broad bipartisan support. The 104th Congress has put aside partisan politics and restored adequate funding for family planning and health care services. In my district, title X means women can afford preventive health services like pap smears and gynecological exams. In my district, title X means women can afford vital pre- and neo-natal health care to prevent problems with pregnancies. In my district, title X means women can afford contraceptive health services to prevent unwanted pregnancies. In my district, title X means men can afford screening tests for prostate cancer. In my district, title X means that a woman's income level will not control her health or that of her family.

Mr. Speaker, at the end of this week, when I return to my district for the August work period, I can tell the women of Jackson County MO, that the House is committed to their family planning and health care needs. I can now go back to my district with pride for the work this body has done to preserve a 25-year commitment to the families of this Nation.

It is unfortunate, however, Mr. Speaker, that I will be unable to tell my constituents that I voted for the overall Labor-HHS-Education Appropriations bill of which title X is a part. The measure contains extreme and unfair cuts to valuable, proven programs that educate children, invest in working people, and protect our Nation's health and safety. We must invest in our country's future by supporting education and training to promote long-term economic growth and higher living standards. We must continue to invest in programs like Cradles and Crayons that benefit our children. I regret that this bill does not represent the priorities Jackson Countians want.

OSTEOPOROSIS

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1995

Mrs. MORELLA. Mr. Speaker, osteoporosis is a major public health problem affecting 25 million Americans, 20 million of whom are women. The disease causes 1.5 million fractures at a cost of \$10 billion annually in direct medical expenses. One in two women and one in eight men over the age of 50 will fracture a bone due to osteoporosis. A woman's risk of osteoporosis is equal to her combined risk of contracting breast, uterine and ovarian cancer.

Osteoporosis is largely preventable and thousands of fractures could be avoided if low bone mass was detected early and treated. However, identification of risk factors alone cannot predict how much bone a person has and how strong or weak bone is. Experts estimate that without bone density tests, up to 40 percent of women with low bone mass could be missed—an unacceptable diagnostic error rate.

Unfortunately, Medicare's coverage of bone density tests is inconsistent. The program covers several types of tests such as single photon absorptiometry, measurement of the wrist and radiographic absorptiometry, hand; however, it leaves the decision to the Medicare carriers whether to cover quantitative computed tomography, spine, and dual energy x-ray absorptiometry or DXA—spine, hip, and total body—one of the most common methods used by scientists. The Food and Drug Administration has approved all of these methods except the radiographic absorptiometry.

Medicare covers DXA in 42 States, while parts of four additional States are covered. This leaves four States and the District of Columbia without coverage. A national average allowable charge of \$124 was established for DXA by the Health Care Financing Administration this year, yet a national coverage decision does not exist.

Inconsistency of coverage policy is confusing and unfair to beneficiaries. If a Medicare beneficiary lives in Florida, DXA is covered; if she lives in New Jersey, it is not covered. If she lives in Baltimore County in Maryland, it is covered; if she lives in Montgomery County, MD, it is not covered.

Today, I am introducing a bill, together with Congresswomen NITA LOWEY and EDDIE BERNICE JOHNSON, as well as 10 other original co-sponsors, to standardize Medicare's inconsistent coverage of bone density tests—the only sure method to determine bone mass and avoid some of the 1.5 million fractures caused annually by osteoporosis. The bill would also clarify that Medicare will cover other scientifically proven techniques to detect bone loss, such as biochemical markers. These inexpensive lab tests can be important adjuncts to bone mass measurement in the effort to detect and treat individuals who are at risk of osteoporosis. Considering that bone density tests are already covered by a large majority of the Medicare carriers, this bill will not add significantly to the costs of the Medicare program.

I urge my colleagues to join us in introducing this bill to help women and men prevent fractures caused by osteoporosis.

HONORING CAPT. DEAN O.
TRYTTEN ON HIS RETIREMENT

HON. BOB INGLIS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1995

Mr. INGLIS. Mr. Speaker, today I pay tribute to an outstanding naval officer, Capt. Dean O. Trytten, who is retiring from the U.S. Navy after 30 years of distinguished service. It is a pleasure to share with my colleagues just a few of his many accomplishments.

Captain Trytten, raised in Lake Mills, IA, enlisted in the Navy in 1965 and was commissioned through the Navy's NESEP Program. He was selected for the Navy's NESEP Program while a student at Nuclear Power Training School in Windsor, CT.

A dedicated student, Captain Trytten received his bachelor of science degree in electrical engineering from North Carolina State University [NCSU]. Later, he returned to school, and in 1982 he earned his master of science in mechanical engineering from the naval post graduate school in Monterey, CA. Captain Trytten was also awarded the prestigious "Top Snipe" award at SWOS Department Head School.

Captain Trytten's initial sea assignment was to the U.S.S. *Cannole* (DE 1056), where he served as main propulsion assistant. Subsequent sea tours included repair officer/engineering officer on the U.S.S. *Portland* (LSD 37), engineering officer on the U.S.S. *Joseph Hewes* (FF 1078) and maintenance manager/service life extension program [SLEP] coordinator on the U.S.S. *Independence* [CV 62].

During a period of rapidly changing force structures and declining resources, Captain Trytten served as ship superintendent at Philadelphia Naval Shipyard for the SLEP of U.S.S. *Forrestal* [CV 59], repair officer at SIMA San Diego, force maintenance officer at COMNAVSURFPAC, ship modernization and maintenance branch head at OPNAV, and most recently distinguished himself through exceptional meritorious service as special assistant for quality at the NAVSEA Inspector General's Office.

Captain Trytten has been awarded many decorations, including four Meritorious Service Medals, the Navy Commendation Medal, Battle Efficiency "E", Good Conduct, and two National Defense, Humanitarian Service, and Sea Service Medals. Captain Trytten's accomplishments during his service are in keeping with the finest traditions of military service and reflect great credit upon him and the U.S. Navy.

Mr. Speaker, I ask you and my colleagues to join me in congratulating Capt. Dean Trytten on this momentous occasion. As Captain Trytten retires to Greenville, SC, I take this opportunity to express my gratitude for his faithful and dedicated service to the U.S. Navy and wish him my sincerest best wishes upon his retirement.

A CALL TO REPEAL GOALS 2000

HON. SONNY CALLAHAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1995

Mr. CALLAHAN. Mr. Speaker, as the House considers the Labor, Health and Human Services, and Education appropriations bill, considerable attention will be devoted to the issue of education. America's schools will only improve if Federal and State Governments stop burdening schools and teachers with regulations and instead give them the freedom to experiment and change. Flexibility and innovation are key elements of genuine education reform, not centralized and rigid Federal rules. The provisions of Goals 2000 do not coincide with our efforts to shift more power to the States, and I believe that funding for this program should be discontinued. At this time, I would like to submit a joint resolution on behalf of the Alabama State Legislature calling for the repeal of Goals 2000.

H.J.R. 353

Whereas, Goals 2,000: Educate America Act and related implementing legislation, ESEA Reauthorization Act, P.L. 103-382, which was passed by the Congress in 1994, require the federalization called restructuring of America's educational system; and

Whereas, the act for the first time in American history, provides a framework to establish national education goals, with the power in federal, state, and local rules; and

Whereas, this federalization which Goals 2,000 describes 101 times as voluntary, is in effect involuntary because it requires that for a state to receive any federal funds, including Chapter 1 funds, a state must submit to national content standards, national student performance standards, federally approved state assessments testing to cover all students regardless of where they are educated, federally approved control of information through technology plans in all programs, federally approved school readiness programs which will necessitate home inspections mandatory community service, school to work programs directing all businesses to require certificates of mastery for all workers, and government oversight of the family; and

Whereas, this federalization also mandates equalized spending per pupil for a state, local, educational agency, or school; and

Whereas, the Alabama Legislature last year rejected outcome-based education; and

Whereas, the federal government does not have the legal constitutional authority to implement a national curriculum or otherwise to usurp state rights; and

Whereas, American education has been effective when it has taught the basic under local control; and

Whereas, supervision and education of children must remain the right of parents, and the Goals 2,000 required parent contracts negate this parental authority; Now therefore be it

Resolved by the Legislature of Alabama, both Houses thereof concurring, That the Legislature calls upon the Alabama Congressional Delegation to repeal Goals 2,000 in order to reverse the power it gives to the federal government; and be it further

Resolved, That a copy of this resolution be sent to each Alabama Congressional member.

REMEMBERING OUR HMONG
ALLIES

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1995

Mr. RADANOVICH. Mr. Speaker, 1995 marks the 20th year since the fall of Long Chieng, the CIA headquarters in Laos, where the Secret War was staged.

The Hmong suffered tremendous casualties as a direct result of their alliance with the United States during the Vietnam War. The Hmong heroically acted as our counterinsurgency force for over 10 years fighting some of Ho Chi Minh's best divisions to a standstill. These courageous actions disabled North Vietnamese forces, preventing them from waging war with Americans in South Vietnam.

Mr. Speaker, I call my colleagues' attention to Jane Hamilton-Merritt's article that appeared in The New York Times and urge that we remember our former Hmong allies who are now refugees of the Secret War. At this point, I wish that the article be inserted into the RECORD.

[From the New York Times, June 24, 1995]

REFUGEES OF THE SECRET WAR
(By Jane Hamilton-Merritt)

Buried in the sweeping foreign aid package passed by the House on June 8 is an amendment that could rescue thousands of desperate refugees. The amendment would end the forced repatriation of Hmong refugees in Thailand to Communist Laos, where they face persecution by a Government with one of the worst human rights records in the world.

The Senate should preserve this amendment when it takes up the bill, later this summer. It is the least Washington can do for the Hmong. They are being persecuted in part because they were persecuted in part because they were valuable allies in America's "secret war" in Laos that accompanied the war in Vietnam.

Perhaps 30,000 Hmong are trapped in Thailand in refugee camps and in jails, and some have spent years in hiding. Many are military veterans who were recruited and trained by the C.I.A. to fight North Vietnamese troops in Laos. An ethnic minority in the country, the Hmong aided the American effort throughout the Kennedy, Johnson and Nixon administrations.

Fighting to save Laos from a Communist takeover, the Hmong helped us by gathering intelligence, rescuing downed American pilots and sabotaging the entrance of the Ho Chi Minh supply trail into South Vietnam.

Speaking on behalf of Hmong veterans and their families, William Colby, the former Director of Central Intelligence, told the House Subcommittee on Asia and Pacific affairs last year that for 10 years the Hmong kept Hanoi's army in northern Laos to approximately the same battle lines it held at the beginning of the war, though the number of troops increased from 7,000 to about 70,000 by the end of the conflict—troops that were not available to kill Americans in South Vietnam.

For the Hmong, the sacrifice was enormous. Perhaps 10 percent of the population—30,000 people—died.

In 1975, the new Communist regime in Laos singled out for persecution Hmong who had been allied with the United States.

In the last two decades, tens of thousands of Hmong have been killed or imprisoned in

"seminar camps," which are essentially concentration camps.

Many others escaped across the Mekong River to northern Thailand, and others have resettled in the United States, France, Australia and Canada.

Before the end of this year, camps in Thailand will close and 30,000 Hmong and Lao refugees will be forced back to Laos. This is all the direct result of a misguided international program known as the Comprehensive Plan of Action, which has been in place since 1989. The program, developed to resolve the problem of the Vietnamese boat people, also affects other Indochinese asylum-seekers such as the Hmong.

The plan was drafted by State Department and United Nations officials with no public debate—although it is financed in part by American tax dollars. It has been responsible for the forced return of thousands of refugees, including the Hmong, to repressive countries, though the State Department refuses to acknowledge this.

A March report from a fact-finding mission to Thailand sponsored by Representative Steve Gunderson, Republican from Wisconsin, concludes that the State Department had not been truthful.

The fact-finding team charges the State Department with "deception" and "white-wash" to "cover up misdeeds of officials involved in helping pressure and force Hmong/Lao refugees from Thailand to Laos" and also to "cover up their persecution and murders" in Laos. The report accuses staff members of the United Nations High Commissioner for Refugees of giving "misleading" information to Congress that claimed that forced repatriation of the Hmong was not occurring.

Mr. Gunderson's findings confirm what has been reported for years by Hmong victims and their families in the United States, journalists and human rights organizations.

In a 1989 report about screening of Hmong refugees and asylum-seekers in Thailand, the Lawyers Committee for Human Rights warned: "Screening is conducted in a haphazard manner with little concern for legal norms. Extortion and bribery are widespread."

Opponents of the House provision in the foreign aid bill claim that it will cause greater numbers of refugees and could cost the United States more money. But as Representative Bill McCollum, Republican of Florida, pointed out in a recent House floor debate, the bill would not increase the number of refugees admitted to this country.

The amendment, he said, is about "getting the United States out of a scandalous international program." And, he said, "It is also about allocating what few spaces we do have for refugees to those who need and deserve our help."

The Hmong veterans in Thailand are in a sense America's 1st remaining P.O.W.'s. They fought with Americans and we left them behind. It is well within Government's powers to save the Hmong veterans and their families.

The amendment to the House bill, proposed by the Chairman of the International Operations and Human Rights Subcommittee, Representative Christopher Smith, Republican of New Jersey, is a start and should be supported in the Senate. We can help these people without significantly adding to this country's refugee population and to our financial burdens. It would be the humane and just thing to do. It is a moral obligation.

COMMUNICATIONS ACT OF 1995

SPEECH OF

HON. CARDESS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1555) to promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies:

Mrs. COLLINS of Illinois. Mr. Chairman, last night we voted on a rule on the bill H.R. 1555. I voted against it in strong opposition to the back room deals cut outside the committee process which have resulted in significant changes to H.R. 1555, and in strong opposition to the GOP leadership's attempts to ram this anti-consumer, pro-special interest bill through the House before the August recess. It has become typical procedure for this Republican-led Congress to pass hastily conceived, big business give aways in the dark of night at the 11th hour and H.R. 1555 is no exception.

Reform of our Nation's outdated telecommunications laws is an important and necessary endeavor. Last year this body overwhelmingly passed, and I supported, legislation that, while not flawless, certainly would have helped pave the roads of the information superhighway with increased competition and assisted in promoting greater economic opportunities for more Americans as we head into the 21st Century. However, this year's efforts have fallen far short of such a goal, with our constituents getting a raw deal.

In short, H.R. 1555 will deregulate cable companies prior to true competition in these markets. The consumers will pay in the form of higher rates for the most popular services. H.R. 1555 will also allow a single broadcast owner to gobble up enough television stations to control programming for half the Nation as well as giving the OK for one company to corner the newspaper, broadcast cable market in any community. Again, the consumers will pay in the form of monopoly pricing, limited local programming, and diversity of views. Finally, H.R. 1555 would allow phone companies to buy out cable companies in smaller service areas across the Nation. Once more, the consumers will pick up the tab.

While a certain select few amendments will be made in order under this rule that seek to temper some of these drastic provisions, I do not believe they will be enough to bring proper balance to this legislation. In addition, despite the 38 to 5 vote in the Commerce Committee to report H.R. 1555 to the House, the chairman decided to make a number of revisions to the telephone regulation title of the bill after meeting in secret with multi-million dollar executives. No matter what you think of these proposed changes, we should all agree that this is not the manner in which business should be conducted in the people's House—or has this body been renamed the house of corporate representatives, inc.?

Mr. Speaker, consideration of this bill began months ago when Speaker GINGRICH and his GOP colleagues held closed door powwows

with major telecommunications CEO's, yet didn't think it necessary to speak with consumer groups and other citizen advocates to get their input. Surprise, surprise.

This is a bad rule and I regret that we did not go back to the drafting table and craft a telecommunications reform package that puts the public interest before the Gingrich Republican special interests.

INTRODUCTION OF THE GRAND JURY REDUCTION ACT

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1995

Mr. GOODLATTE. Mr. Speaker, this Congress has taken unprecedented action in reducing the size of the Federal Government. No Government agency has escaped our careful scrutiny as we have searched for places to trim Government waste.

Today, I am introducing a bill that will trim a bit further. I believe it is time to turn our attention to the grand jury process.

Currently grand juries consist of at least 16 and no more than 23 members and an indictment may be found only upon the concurrence of 12 or more jurors. Reducing grand jury size has had considerable support and in fact the Judicial Conference recommended a cut in grand jury size as long ago as 1974.

A panel of 23 is administratively unwieldy, costly, and unnecessary. According to the Administrative Office of the U.S. Courts, in fiscal year 1992 the average number of grand juries which sat on a grand jury in session was 19.8. In fact, some grand juries sit with only 16 jurors, the number necessary for a quorum under present law.

In fiscal year 1992 total grand jury payments totalled \$16,526,275 or \$67 per day per juror. We would see significant cost savings if the number of grand jurors was reduced.

This would be a practical, as well as a cost-savings, reform. In a 1977 hearing on grand jury reform the counsel of the Administrative Office of the U.S. Courts testified that "our experience is that it is easier to summon a smaller panel than a larger one from throughout the larger districts."

My bill amends 18 U.S.C. 3321 to reduce the number of grand jurors necessary for a grand jury to be impaneled. Under my bill every grand jury impaneled before any district court shall consist of not less than 9 nor more than 13 jurors. An indictment may be found only if at least 9 jurors are present and 7 of those present concur. Judges across my congressional district have endorsed this reduction.

The Judicial Conference is scheduled to meet again in September. I am hopeful that the Conference will endorse my proposal at this meeting.

As a member of the Courts and Intellectual Property Subcommittee, I see this as an initial step toward larger judicial reform which the subcommittee will undertake later this Congress. I urge my colleagues to support this important proposal.

COMMUNICATIONS ACT OF 1995

SPEECH OF

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1555) to promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid development of new telecommunications technologies:

Mr. RADANOVICH. Mr. Chairman, I intend to vote for H.R. 1555 and against attempts to weaken it.

I believe in competition. I believe in reduced regulation. I want markets, not mandarins of the bureaucracy, to control what communications services are available to us and how much we pay for them.

The electorate's message that came here with us was a clear signal. It rises above the din of those who clamor for controls.

The people told us get the bureaucrats out of our houses and off our lines. Americans reject the idea that privileges or special advantages should be given by government to certain companies, allowing them to carry on a particular business and control the supply of certain services.

Much as our constituents may enjoy the game of Monopoly, they don't want its impact on their real-life pocketbooks.

I intend to keep my word to the people I represent. Their final judgment will not be modified by me.

DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES,
AND EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 1996

SPEECH OF

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes:

Mr. OWENS. Mr. Chairman, in connection with the remarks I made on August 2, 1995, I wish to submit the following additional remarks and extraneous materials which include the following items:

A. The letter of dying coal miner Jacob L. Vowell killed with 183 others in a coal mining accident.

B. The text of articles on OSHA which appeared in the Washington Post on July 23 and July 24.

C. A summary of the quotes which were contained in the Washington Post articles.

LETTER OF DYING COAL MINER JACOB L.
VOWELL KILLED WITH 183 OTHERS

Ellen, Darling, goodbye for us both. Elbert said the Lord has saved him. We are all pray-

ing for air to support us, but it is getting so bad without any air.

Ellen I want you to live right and come to heaven. Raise the children the best you can. Oh how I wish to be with you, goodbye. Bury me and Elbert in the same grave by little Eddy.

Goodbye Ellen. Goodbye Lily. Goodbye Jemmie. Goodbye Horace. Is 25 minutes after 2. There is a few of us alive yet.

JAKE and ELBERT.

Oh God for one more breath. Ellen remember me as long as you live. Goodbye Darling.

Letter written by Jacob L. Vowell while he and 26 others barricaded inside a Tennessee mine after a May 19, 1902, explosion. Although the makeshift barricade held out the bad air for over 7 hours, the trapped mines were eventually overcome by suffocating gases. The disaster claimed 184 lives.

[From the Washington Post, July 23, 1995]

THE HILL MAY BE A HEALTH HAZARD FOR SAFETY AGENCY—SHIFT IN POLITICAL FORCES BRINGS GOP PUSH TO WEAKEN OSHA

(By Michael Weisskopf and David Maraniss)

Thomas Cass Ballenger, in his rolls as small-town industrialist, civic benefactor and veteran congressman from the western hills of North Carolina, always displayed a talent for fund-raising. But the money never came easier than during the congressional elections last fall, when he traveled around his state soliciting contributions for candidates who would serve as ground troops for the Republican revolution.

Whenever Ballenger spoke, checkbooks opened at the mention of the Occupational Health and Safety Administration (OSHA), a regulatory agency that had emerged as a symbol of everything the business world disliked about the federal government. His vision of a House of Representatives controlled by Republicans, as Ballenger later described it, went like this:

"I'd say, 'Guess who might be chairman of the committee who'd be in charge of OSHA?'"

"And they'd say, 'Who?'"

"And I'd say, 'Me!'"

"And I'd say, 'I need some money.'"

And—whoosh!—I got it. This was my sales pitch: 'Businessmen, wouldn't you like to have a friend overseeing OSHA?'"

Indeed they would

They liked the idea so much that they gave Ballenger more than \$65,000 to distribute to Republican candidates, including five from North Carolina who went on to win seats previously held by Democrats. The partisan transformation of the Tarheel delegation was an essential part of the Republican takeover of the House, and it led, among other things, to a new and decidedly pro-management chairman for the House subcommittee on work-force protections—Cass Ballenger. A panel that for years had been controlled by the son of a Michigan auto worker killed in an industrial fire was now headed by a deceptively easygoing, 68-year-old good old boy from Hickory who was educated at Amherst, inherited his family's box company and made his fortune producing plastic bags for underwear.

Ballenger and his allies are now fulfilling a promise made during the campaign. With the strong lobbying support of business coalitions, including corporations who are both repeated OSHA violators and leading financial contributors to the GOP, they are pushing the first viable legislative effort to diminish OSHA's powers since its creation a quarter-century ago. The Safety and Health Improvement and Regulatory Reform Act of 1995 would shrink the size of the investigative staff, shift the emphasis to consultation, eliminate separate research and mine-safety operations, and curtail the agency's powers

to penalize workplaces that fail to meet federal health and safety standards.

Most of the attention in the House this seminal political year has been focused on the "Contract With America," the balanced budget and Speaker Newt Gingrich's pronouncements. But the OSHA measure is at the center of a quieter struggle, albeit one with major philosophical and economic consequences. The refashioning of OSHA—in combination with attempts to repeal wage and union security laws enacted over the decades by Congress's old Democratic majority—amounts to what labor scholars call the most serious effort to rewrite the rules of the American workplace in the postwar era.

The vast bureaucratic system constructed from those laws was based on a question of trust: Whom do you trust with a worker's welfare—the employer or a federal regulator? The time has come, members of the Republican Congress argue, to reword the answer. "I think employers now take a different approach with their workers than they have in the past," said Rep. Lindsey Graham, a freshman Republican from South Carolina and a member of Ballenger's subcommittee. "My job is to get the government up to speed with the times. And the times for me are to reevaluate the role of a the federal government in private business. If you believe that is the mandate, OSHA is a great place to start."

Although OSHA was established during the presidency of Richard M. Nixon and has been run by Republican-appointed administrators for 18 of its 25 years, it is scorned by House Republicans as the archetype of a liberal program gone astray. They describe it as a place where swarms of inspectors swoop down to intimidate innocent merchants, professionals and manufacturers, drown businesses in paperwork and are more interested in imposing fines than ensuring safety.

"They need to do what the hell they're told," said Charles W. Norwood Jr., a dentist from Georgia and the most intense of the Republican freshmen I his dislike of OSHA. "They've been sitting in their little cubicles for 25 years thinking they knew what was best for every industry in this country. They don't. And they don't want to know. All they want to know is what they can get away with to collect money from us."

Many Democrats find their predicament ironic. Year after year they complained that OSHA was ineffective and needed more inspectors and tougher standards. I the last session of congress, before they lost control, they pushed legislation that would strengthen the agency in the very places where Republicans seek to weaken it. But now they are caught in a rear-guard action defending the status quo, arguing that OSHA, for all its faults, has been a savior for American workers. They cite statistics showing that OSHA saves an estimated 6,000 lives each year and has led to significant decreases in workplace injuries and illnesses. Behind the cover of reform, they say, Republicans are exacting corporate revenge, using the paperwork complaints of small businesses to enrich the management class at the expense of blue-collar workers.

The arguments mark a profound shift of political forces. For years business had felt an obligation to pay homage to the Democratic masters of Congress, even where their interests differed. The Republican takeover created opportunities to bring politics in line with corporate objectives, none more important than rewriting labor laws and loosening the grip of government regulations. In moving from a marriage of convenience to one of shared passions, the business world has showered the Republican Congress with financial rewards. In a single evening last May, at the "New Majority" dinner to

raise money for the next congressional election, companies lobbying for labor law changes gave more than \$1 million.

With the stakes so high, the debate over OSHA has crackled with fiery rhetoric and melodramatic anecdotes.

From the business world comes a bumper sticker that only slightly exaggerates the prevailing sentiment: "OSHA is America's KGB—It Turns the American Dream into a Nightmare." In the matter-of-fact words of Rep. John A. Boehner of Ohio, a former plastics salesman who now serves as chairman of the House Republican Conference and the leadership's liaison to business: "Most employers would describe OSHA as the Gestapo of the federal government." Business leaders pass along tales of bureaucratic overzealousness, such as the case in Augusta, Ga., where a nonprofit group was fined \$7,500 by OSHA for using mothballs to chase squirrels out of the attic and failing to post a notice describing the chemicals contained in the mothballs.

From labor comes a sarcastic title for Ballenger's bill—the Death and Injury Enhancement (DIE) Act of 1995. Democrat Major R. Owens of New York, ranking minority member of Ballenger's panel, reads off the names of men and women killed in the workplace and likens the toll to the death count in Vietnam. Unionists recount workplace tragedies that might have been avoided if not for management carelessness, such as the case in Grand Island, Neb., where a maintenance man at a meatpacking plant had his "head popped like a pimple," in the indelicate phrase of a coworker, when he tried to retrieve his pliers from a carcass defleshing machine that turned on because it lacked the required safety locks.

SEE WHAT CAN HAPPEN?

Cass Ballenger saw more than a few workplace injuries during his years as a manufacturer in Hickory, an industrial town whose streets are lined with hosiery mills. When he switched his family business from boxes to plastic bags, he often worked the machines himself. A contraption called the scoring machine was particularly troublesome, he said. "The clutch on it was mechanical and the dang thing always slipped. You'd be wiping grease off it and the cloth would get caught in the gears and, thwack, it would just cut your fingers off."

That was before the days of OSHA. Ballenger noted, and employers and workers relied on "simple common sense." Ballenger kept all his digits, but when someone at his plant lost a finger, he would say, "'See what can happen? Put the guard back on and don't do that again.' You'd learn not to do that anymore."

From the first time inspectors visited his factory, Ballenger's relationship with OSHA was quarrelsome. "They came into my plant and they told me that my loading dock was unsafe because it didn't have a barrier to keep people from falling off," he recalled in a recent interview. "And so I said, 'Well, let me ask you something, if you put a barrier up, how do you load? They thought about it and said maybe they were wrong.'"

Ballenger is a southern storyteller who acknowledges that he occasionally delves into hyperbole to make points. Whether the loading dock inspection happened precisely as he remembered it is unclear. There are no records of the event. But it is important for two reasons. First, in the business world's catalogue of nonsensical OSHA actions, which is an assortment of documented cases and utter myths, the loading dock episode is prominently featured, told and retold in various versions around the country. Second, it shaped Ballenger's perceptions from then on as he dealt as a lawmaker with OSHA.

North Carolina is among two dozen states where federal OSHA standards are enforced at the state level. When Ballenger was in the legislature in Raleigh, he sat on the committee overseeing OSHA and constantly fought with the state labor commissioner, John Brooks. "Every time John came in and said, 'We are underfunded and need more inspectors,' and told us how it was awful that we didn't think about the health and safety of the workers of North Carolina," Ballenger said, he would be thinking, "Here's this horse's ass who runs a lousy operation asking us for more money."

There was a personal aspect to Ballenger's animosity that extended beyond the loading dock incident. He accused Brooks of conducting "political raids" on his bag plant, inspecting it three times only because he was a prominent Republican in what was then a Democratic state government. Brooks called the accusation groundless: Factories were chosen for inspection by a random computer system. "There is no human way to tamper with that system," Brooks said, "Cass knows that and was offered the opportunity to see it working."

"If you believe that," Ballenger responded, "I've got a bridge I'd like to sell you."

SYMPATHETIC TO THE CAUSE

From the time he reached Washington in 1987 as a House freshman, boasting that he was the only member who had been cited for workplace violations, Ballenger worked on OSHA legislation with a group of Republicans on the old Education and Labor Committee. Their efforts were defensive, trying to stop the Democrats and their labor allies from expanding the agency's powers. "Then, all of a sudden, oops! We got control," Ballenger said of the 1994 elections.

His first task as chairman of the workforce protections subcommittee of the renamed Economic and Educational Opportunities Committee was to pick a team of Republicans lawmakers to help him remake OSHA. "I wanted people sympathetic to the cause," he said. "I was looking for pro-business people."

Harris W. Fawell of suburban Chicago had been working with Ballenger on OSHA bills during the Democratic era and would be helpful this time around. Bill Barrett of Nebraska carried the complaints of the meatpacking plants in his district. Tim Hutchinson of Arkansas, whose district included the chicken giant Tyson Foods, would look out for the poultry processors. Peter Hoekstra of Michigan, who came out of the furniture industry, "hated OSHA with a passion," Ballenger thought. James C. Greenwood of suburban Philadelphia was the most moderate of the veterans, but Ballenger respected him. "I asked him where he would stand on OSHA," Ballenger recalled. "And he said, 'I'll be with you.'"

Then Ballenger recruited three freshmen. He brought in David Funderburk, one of the gang of five from North Carolina. "Oh, I knew Funderburk. Hoo, boy!" said Ballenger, explaining that he considered his Tarheel colleague even more conservative than he was. When Lindsey Graham, a freshman from South Carolina, signed on, Ballenger hailed him as "a good old southern boy—you can count on them every time." And finally there was Charles Norwood, the dentist from Augusta who arrived in Washington last winter with OSHA dead in his sights. "Everybody knew about Charlie," Ballenger said, smiling.

For all the decades that the labor subcommittees were dominated by Democrats, Republicans who were assigned to the panels tended to include a disproportionate share of moderates. Now, in the first year of Republican rule, Cass Ballenger looked at his

group and declared that he was about to have some fun. "My subcommittee is so conservative it makes me look liberal," he said. "We could kill motherhood tomorrow if it was necessary."

One of his freshmen put it another way. "This has been a subchapter of the AFL-CIO for 20 years," said Lindsey Graham. "Now everybody here talks slower—and with a twang."

PUSHED TOO FAR

Graham and Norwood, whose congressional districts sit next to each other along the South Carolina-Georgia border, provide much of the new twang. They grew up in Democratic families and became the first Republican congressmen from their districts since Reconstruction. In their own ways, they represent the social, economic and philosophical forces behind the Republican revolution and the movement away from government regulation.

The 40-year-old Graham grew up in the textile town of Seneca, where his parents ran the Sanitary Cafe, a bar outside the factory gate. It was a beer and hot dog place with a juke box that played "Satin sheets to lie on satin sheets to cry on." When the factory shift changed at 3 every afternoon, young Graham would see the mill workers "come in with their shirts covered with cotton, white as they could be. There'd be a finger missing on every other person."

Although he considered his home town an "Andy Griffith of Mayberry type place," he also saw the failings of the old system. The textile plant treated its workers like children, he said, and placed a greater emphasis on productivity than safety. Graham understood that it was necessary for the government to come in then and make workplaces safer, just as he realized that the segregated system his parents were part of—they made black workers buy beer from a takeout window out back—was wrong and required the force of government action to eradicate.

But by the time Graham ran for Congress last year, he had long since become convinced that the pendulum had swung too far toward federal intervention. He thought the role of the government in mandating affirmative action and regulating workplaces had "gone from being helpful to being the biggest obstacle dividing and polarizing the nation by race and by employers and employees." It was his generation's mission, Graham said, to "correct the excesses of government from the past generation."

One day during his congressional race, Graham had what his campaign manager, David Woodard, called "an epiphany." Graham had delivered a noon speech at a small-town Rotary Club, where he received a tepid response. Concerned that he had not figured out how to tap into the old southern Democratic establishment, Graham then paid a visit to a textile mill on the edge of town. He later told Woodard that the plant manager was so agitated he threw a sheaf of papers to the ground and bellowed, "No more damn Democrats. They've got all these inspectors on me. All these crappy regs!"

Afterward, Graham placed an excited call to his campaign manager. "He said, 'We may not have the Rotary, but we have the people running the mills,'" Woodard recalled, "From then on, he picked up the theme."

Norwood, a 54-year-old dentist, sounded that theme from the day he announced for Congress in suburban Augusta, calling himself a businessman "who just got pushed too far" by government regulators. It started a decade earlier when OSHA began taking an active role in the dental profession to ensure that employees and patients were not endangered by blood-borne pathogens such as the AIDS virus. Dentists, Norwood said, did not

need to be inspected or told how to maintain safe offices.

Norwood became so upset by the federal health and safety standards, which he said required his dental team to use 200 pairs of gloves each day and set up laundry services within his office, that he began placing an explicit "OSHA surcharge" on the bills he sent to patients. The charges amounted to about \$10 per visit. When patients complained, Norwood told them to call their congressman. Then he decided that he wanted to be the congressman. Although he had never run for political office, Norwood had developed a state and national network of dentists from his earlier position as president of the Georgia Dental Association. He raised more than \$90,000 from his dental colleagues.

Much like Ballenger in North Carolina, Norwood was motivated in part by a personal experience. The Department of Labor had once investigated him for not paying overtime to his office aides after a disgruntled former employee filed a complaint. Norwood said it would have cost him more to fight the complaint than settle it, but he never forgot the \$10,000 the incident cost him nor the role of the federal investigators. From then on he referred to them as "storm troopers."

One morning on the campaign trail, Norwood turned to his young aide, Gabe Sterling, and asked him to find out who was in charge of OSHA. Sterling called Washington and learned that it was an undersecretary of labor named Joseph Dear. From then on, wherever he spoke to businessmen in his district, Norwood would say, "You know, that fellow who runs OSHA, that Joe Dear, well when I get up to Washington I'm gonna call that Joe Dear at 5 every morning and explain to him the problems with OSHA."

It did not take long for Chairman Ballenger to realize that he had a firebrand on his subcommittee. There was no need to reform OSHA, Norwood told Ballenger. They should just close the place down, fire everyone who worked there and then start over. "The only way to do it is to get rid of that crowd," he said.

Ballenger might have agreed, but he knew it would have been counterproductive. "I said 'That's stupid. You can't win that way. You gotta have a bill,'" Ballenger recalled. "I'm smart enough, or dumb enough, to realize that if we don't pass the bill, we haven't done a darn thing."

[From the Washington Post, July 24, 1995]

OSHA'S ENEMIES FIND THEMSELVES IN HIGH PLACES

(By David Maraniss and Michael Weisskopf)

At 3 in the afternoon of Jan. 30, not long after the Republican majority assumed control of Congress, about 50 of the GOP's powerful allies in the business world gathered in the Washington boardroom of the National Association of Manufacturers. Oil was there, and chemicals, along with freight and construction and steel and small business. They convened as members of a lobbying group known as COSH, the Coalition on Occupational Safety and Health, and they sensed that their time was at hand.

"We're in a position to get something for employers," said coalition official Pete Lunnie, opening the meeting.

As he spoke, Lunnie recalled later, he was struck by how unusual it all seemed, especially the optimistic tone. For several years, the business community had been on the defensive, trying to prevent the labor-oriented Democratic Congress from strengthening the powers of the Occupational Safety and Health Administration (OSHA), an agency that business leaders thought was already excessive in its regulatory zeal. The low point had come on April 8, 1992, when an ex-

ecutive had flown cross-country to testify before the House Education and Labor Committee, only to be ignored by the panel's chairman and never called on during a five-hour hearing. Lunnie sent out a membership memo the next day deriding what he called the "crude affront."

But now business had friends everywhere. Two former members of the House labor panel had become powers in the leadership: Majority Leader Richard K. Arney of Texas and House Republican Conference Chairman John A. Boehner of Ohio. Boehner, a former plastics salesman, had been deeply involved in OSHA issues in past years and could be counted on again. And in place of William D. Ford, the old Democratic chairman who had snubbed COSH earlier, the key labor subcommittee was now headed by Cass Ballenger, a manufacturer from North Carolina with a long history of antipathy toward federal regulators.

At the strategy session in Washington, Lunnie asked the participants to identify the industry's most pressing problems with OSHA. "Cass wants our input," he said. They spent more than two hours enunciating a catalogue of gripes, from which Lunnie and his core group of lobbyists produced a consensus list of 30 recommendations for revising OSHA. In late February, they typed out the suggestions on a single-spaced piece of paper, which they presented to Ballenger. When Ballenger's work-force protections subcommittee came out with the Safety and Health Improvement and Regulatory Reform Act of 1995 in early June, there was little doubt among congressional insiders about who benefited from each section of the 47-page document. Virtually everything on COSH's wish list was there.

The coalition was the largest of many business groups and lobbyists who found their way to Ballenger's office as the bill was being drafted. "I'd say that any businessman who happened to come up here to see someone in the House would come by my office and say, 'When you draw this thing up, will you look at this please?'" Ballenger said recently. "We had several groups that came up with finished bills they wanted. The North Carolina Citizens for Business and Industry, of which I've been a member for 30 years, came up with a complete bill. COSH had ideas. We had ex-heads of OSHA come in here and give us advice. They all knew exactly what I should do."

DELIVERING GIFTS

The work of revising OSHA and rewriting U.S. labor laws had already begun in Ballenger's shop even before the heavy lobbying started. Weeks before the congressional elections last fall, Jay Eagen, who was then the ranking minority aide on the Education and Labor Committee, had a hunch that the Republicans might gain control of the House and began organizing a plan of action. The staff drafted a document called Agenda 104, named for the 104th Congress. It outlined the issues facing the committee and identified those of highest priority. Labor laws and OSHA topped the list.

When Ballenger assumed control of the subcommittee, he delved deeply into the drafting process, choosing among legislative options presented by aides in daily briefings along with memos from corporate backers. Some industry lobbyists were brought in to press a point or explain its ramifications; others were enlisted to draft specific provisions or vet them. While COSH and other groups enjoyed broad access to the process, one lobbyist had the inside track: Dorothy Livingston Strunk.

A coal miner's daughter from Pennsylvania who arrived in Washington with only a high school diploma, Strunk had undergone

a long rise through the ranks to emerge as one of the most powerful voices in the workplace safety field. For years she had been a top Republican aide on the labor committee. In 1987, President Ronald Reagan nominated her to run the Mine Safety and Health Administration, but her appointment was killed in the Senate after strong opposition from the United Mine Workers. During the Bush administration, she moved over to OSHA, where she rose from deputy to acting director.

Now she is a lobbyist for United Parcel Service, a company whose Santa Claus-like public image as the deliverer of presents covers an intensely political enterprise. During the 1994 election cycle, UPS, which is one of the nation's top five employers and has offices in every congressional district, emerged as the nation's No. 1 PAC contributor, giving more than \$2.6 million. Like many major PAC givers, it has leaned heavily Republican since the GOP takeover, contributing \$210,000 to Republican House members in this non-election year alone. About 9 percent of that amount went to members of the labor panel, including \$5,000 to Ballenger.

The relationship between UPS and OSHA has been lengthy and costly. The agency says it has received more worker complaints against UPS than against any other employer, resulting since 1972 in 2,786 violations and \$4.6 million in fines—cases that the delivery service says were mostly minor. According to UPS data supplied to the Teamsters Union, in 1992 company workers suffered 10,555 lifting and lowering injuries that required more than first aid. The corporation pays out an average of \$1 million a day in workers' compensation.

UPS has an intense interest in revising the OSHA standards, particularly the sections dealing with cumulative stress disorders caused by repetitive motion or lifting. More than 180,000 of its workers perform such tasks, driving the boxy, brown UPS trucks or handling packages. In Strunk, UPS had a lobbyist who knew OSHA regulations inside out and someone with unusual access to the committee where she once had worked. Aides to other members of Congress said that when the bill was being drafted, it was not uncommon for them to enter the committee offices and see Strunk emerging from a back room meeting with Gary L. Visscher, the staffer assigned to write the OSHA bill. When the first version of the bill made the rounds in April, it was often referred to as "Dottie's draft."

Her influence is clear in Ballenger's bill. Strunk and other lobbyists from the construction and trucking industries pushed for restrictions on the only tool OSHA now has to prevent cumulative trauma disorders such as carpal tunnel syndrome and back strain. The agency has struggled for years to issue an ergonomics standard that would cover those health problems, but in the meantime has invoked a "general duty clause" in its statute to deal with "recognized hazards" of the workplace not specifically addressed.

The general duty clause is used against a wide range of otherwise unregulated risks, but starting in the 1980s it became a popular OSHA device to prevent cumulative trauma disorders. By 1990, more than 800 ergonomic violations were imposed by OSHA—one quarter of its general duty clause cases—costing employers more than \$3 million in fines. Four UPS facilities were among those cited for package sorting and loading practices. Facing more than \$140,000 in fines, the company contested the charges, arguing that there was no specific standard they failed to meet, and OSHA backed off for lack of sufficient evidence.

The Ballenger bill offered an opportunity for industry to achieve what had eluded it

for 25 years. Staff members presented a number of options to narrow the general duty clause, adding language to limit its application. At a crucial meeting in the chairman's office, Strunk presented a historical perspective: The original drafters, she said, wanted the clause to be used sparingly, but over the years enforcers had used it liberally. No matter how they tightened the wording, she said, inspectors could still interpret it more broadly. Ballenger was in no mood to take chances. His bill effectively eliminated the general duty clause by preventing OSHA from imposing penalties where no specific standard exists. Strunk declined requests to discuss her lobbying role on the bill.

While the general duty powers, OSHA supporters maintain that specific ergonomics standards are needed to deal with the fastest-growing occupational injury. Half of today's work force uses computers, requiring repetitive motion similar to that of slaughterhouse workers cutting meat and grocery store clerks using price scanners. But the Ballenger bill makes it less likely that tough ergonomics standards could be imposed. The measure reverses OSHA policy by requiring regulators to justify the costs to business of implementing any new rule on an industry-by-industry basis. On top of that complex undertaking, the drafters were persuaded by the argument of an Ashland Oil official to have such analyses reviewed by panels of experts, not excluding those from companies with interest in the outcome.

THE FINE PRINT

The Ballenger bill is pro-business in its contours, turning a feared regulatory agency into what labor critics say would amount to a consultant to employers. It would funnel half the budget into training programs and incentives for voluntary action. Large numbers of employers would be exempted from random inspections and given wider latitude to avoid penalties, while the rights of workers to file OSHA complaints would be diminished.

As in the case of UPS and ergonomics, the fine print of the bill shows the influence of many industries. Chemical companies reach one of their longtime goals by keeping states from exceeding OSHA standards on workplace safety, such as the labeling of toxic substances. Another provision, inspired by Dow Chemical Co., would free employers regulated by OSHA from other federal rules that are "potentially in conflict." The proposal is supposed to prevent double regulation, but critics say it would allow industry to bypass more extensive rules of other agencies if they can be shown to be remotely similar.

The iron and steel lobby got Ballenger to drop a requirement that records be kept for work-related illnesses, such as hearing loss, that do not call for medical treatment and lost time. OSHA uses such logs to target troubled industries for inspection—a threat to noisy plants because of OSHA plans to tighten standards for hearing loss.

Perhaps the most contentious section of Ballenger's bill would abolish the federal agency charged with mine safety and transfer its reduced regulatory powers to a weakened OSHA. The Mine Safety and Health Administration is regarded as a regulatory success story, bringing about a sevenfold drop in mine fatalities since 1968. Ballenger's bill would water down its enforcement powers against unsafe mines and loosen the training and inspection requirements. Instead of four inspections per year, underground mines would face one. The requirement for two surface mine inspections a year would be dropped.

Ballenger explains the decision as a budget-driven effort to save money and stream-

line federal authority. But larger economic constituencies loomed in the background. The most influential adviser advocating the merger was Dorothy Strunk, who after leaving government worked for a Washington law firm that represented mining interests. The proposal is supported by some owners and operators of the rich east Kentucky coal fields, whose small mines are among the most dangerous and the latest targets of the mine safety agency.

And the northeast corner of Ballenger's congressional district, Mitchell County, is the nation's principal producer of feldspar, a sand-like mineral mined on the surface and used in ceramic and glass products. Ballenger met with an official of Unimin Corp., one of the mining outfits there. "He said what really bugged him was, being above ground and so forth, he gets inspected by both OSHA and MSHA. So he's got two sets of rules to work off."

HOW DO YOU DEFEND THAT?

While there was basic agreement among subcommittee members and industry allies about the scope of the OSHA bill, there were some moments of tension. Georgia's Charles W. Norwood Jr., supported by some lobbyists, thought the bill seemed too timid, that it was just tinkering with the system instead of reinventing it. In May, a few weeks before the measure was presented, Norwood and his freshmen compatriots requested a meeting with Ballenger. They asked John Boehner from the House leadership to attend and help them make their case.

Boehner had spent much of the previous four years working on OSHA revisions that went nowhere in the face of Democratic opposition. He agreed with Norwood in principle that the committee staffers drafting the bill with Strunk's guidance "seemed too locked in on what is, instead of what could be." On the other hand, he had heard about Norwood's sentiment to just close down OSHA, and realized that was not politically possible.

When the meeting began, Boehner said later, he was more on the side of Norwood and the freshmen. But soon enough he found himself defending Ballenger and explaining to Norwood why certain things could not be done.

"Charlie wanted to prevent OSHA from entering the workplace where there was a serious accident or death if the employer's lost-work ratio was below the industry average," Boehner recalled. "It was one of those issues where you had to walk Charlie through the politics of it, the practicality of it. The politics of it are: 'Charlie, how do you defend that?' If you're going to have OSHA and your goal is to create greater safety in the workplace and somebody dies in the workplace, you have to let them in."

Norwood contended that unions were using OSHA as an organizing tool. Company managers back in Georgia had complained to him that whenever a union was trying to organize a plant, OSHA would somehow show up and do an inspection because an employee had called in a violation. Boehner and Ballenger satisfied Norwood with two other provisions. Under the revised bill, if OSHA makes an inspection after a death or injury, it can only issue fines directly related to that incident. The bill also requires an employee who sees a workplace violation to take it to the management first. Only if there is no response in 30 days can the complaint go to OSHA.

During his campaign for Congress last year, Norwood had vowed to call OSHA chief Joseph Dear every morning at 5 to tell him what was wrong with his agency. He never followed through on that threat, but he did invite Dear to Meet with him in his congress-

sional office. Norwood complained that the blood-borne pathogen standards were so strict that dentists felt they could not give children their extracted teeth. It was a story that Norwood and other dentists had been telling for years, so common that it even had a name—The Tooth Fairy Story. Like so many of the OSHA "horror stories," as they are called, it fell somewhere between reality and myth. Some dentists did stop giving out extracted teeth, but there was nothing in the law preventing them from doing so.

Norwood also asked Dear about another common story—that OSHA regulations prohibited roofers from chewing gum on the job. Dear said that there was no such regulation. Norwood, according to his staff, later said that he had caught Dear in a lie. Again, there was a fine line between truth and myth. OSHA standards did say that workers could not chew gum in one case: when they were working "in an area where the level of asbestos is so high that chewing gum could result in the ingestion of asbestos."

While Norwood and other Republicans on the subcommittee have relied on their catalogue of horror stories to make their case against OSHA, the struggle has a stone economic and political component. Corporations lobbying on OSHA and other labor laws dominated Norwood's list of post-election contributions to pay off his campaign debt. Nearly two-thirds of the money he raised came from corporate members of those lobbying coalitions. More than a third of the \$58,000 he has reported raising from PACs for his next election come from these same groups. He sponsors a monthly breakfast round table for business leaders in Augusta, GA., where members can become squires for \$250 and knights for \$500.

Dentists, who have played an active role in the anti-OSHA movement, gave more than \$90,000 to Norwood's last campaign—one-quarter of his contributions from individuals. In turn, he fought to essentially exempt dentists from safety inspections: They fell into the category of small business that would no longer be visited by the green-and-yellow-jacketed OSHA investigators.

Subcommittee member Bill Barrett's largest source of money was from the meat and sugar industries, both of which have had OSHA violations in his rural Nebraska base. His largest contribution came from ConAgra, the agribusiness giant, which also accounted for the largest OSHA violation in his district in the last five years. ConAgra's Monfort meat-packing plant in Grand Island was hit with fines of more than \$625,000 after a series of incidents there, including the death of a maintenance man who was beheaded by a defleshing machine that should have been secured with a safety lock.

More than one-third of the PAC money raised by Chairman Ballenger for his 1994 campaign came from corporations that were lobbying for labor law and OSHA changes. The most generous was UPS's PAC, at \$10,000. The single largest contributor to the National Republican Congressional Committee from North Carolina was Glaxo Inc., a major North Carolina pharmaceutical firm which has a long history of working in tandem with Ballenger to fight OSHA. When Ballenger was in the North Carolina legislature, Glaxo was fighting a revision in the law which would have required it to have a locked mailbox at the plant gate containing all reports on chemicals shipped into the plant each day. "You had to change it every day if you received chemical shipments every day," Ballenger recalled. The company considered it a paperwork headache. "Luckily," said Ballenger, "I killed the hell out of it."

THE WORKING STIFFS

The complaint from labor and Democrats for years was that OSHA was doing too little. Of the 70,000 hazardous chemicals used by industry, the agency had set standards for only 25, an average of one each year. Only in the last two years had it begun moving seriously on ergonomics issues. Despite business complaints about swarms of OSHA storm troopers invading plants, inspections have actually been few and far between. The typical company in North Carolina, for instance, would be inspected once every seven years. In the aftermath of one of the most calamitous workplace disasters of the decade, the Sept. 3, 1991, fire at Imperial Food Products in Hamlet, N.C.; in which 25 people died because there was no sprinkler system and the fire doors could not be opened from the inside, it was determined that OSHA had never inspected the plant.

There were significant gains in some areas, however, which have strengthened the resolve of OSHA supporters this year as they fight for the agency's life. The impact of OSHA intervention in certain high-risk industries is clear. There have been 58 percent fewer deaths in grain handling and 35 percent fewer deaths in trench cave-ins since OSHA cracked down on those industries. The number of textile workers suffering from brown lung—a crippling respiratory disease—fell from 20 percent of the industry work force in 1978, when OSHA set limits on worker exposure to cotton dust, to 1 percent seven years later.

Democrat Major R. Owens of New York, the ranking minority member of Ballenger's subcommittee, is fond of quoting Speaker Newt Gingrich's line that "politics is war without blood." The Republican attempts to change the American workplace, Owens says, amount to a declaration of war on the nation's working men and women.

But Lindsey Graham of South Carolina, one of Ballenger's activist freshmen, said the Democrats and labor are deluding themselves if they believe they have the working people on their side in the fight against government regulations. When Labor Secretary Robert B. Reich testified before the committee, Graham asked him one question: "How do you reconcile your agenda with my election?" Graham, who won 60 percent of the vote in a district where the average income was \$13,200, said he counted the times Reich used the phrase "working stiff" in his presentation.

"He used the words 'working stiff' 21 times," Graham said. "I wrote it down every time he said it. Well the working stiff, the little guy, elected me. They picked me!"

[From the Washington Post, July 23-24, 1995]

QUOTES OF REPRESENTATIVE CASS BALLENGER

In regard to the idea of Republican run House:

"I'd say, 'Guess who might be chairman of the committee who'd be in charge of OSHA?'"

"And they'd say, 'Who?'"

"And I'd say, 'Me!'"

"And I'd say, 'I need some money.' And—whoosh—I got it. This was my sales pitch: 'Businessmen, wouldn't you love to have a friend overseeing OSHA?'"

Talking about the sooring machine:

"The clutch on it was mechanical and the dang thing always slipped. You'd be wiping grease off it and the cloth would get caught in the gears and, thwack, it would just cut your fingers off."

Before OSHA: employers and workers relied on "simple common sense."

After an employee of his lost a finger:

"See what can happen? Put your guard back on and don't do that again.' You'd learn not to do that anymore."

About the first OSHA visit to his factory: "They came into my plant and they told me that my loading dock was unsafe because it didn't have a barrier to keep people from falling off. . . . And so I said, 'Well, let me ask you something, if you put a barrier up, how do you loan?' They thought about it and said maybe they were wrong."

Speaking about John Brooks, state labor commissioner:

"Every time John came in and said, 'We are underfunded and need more inspectors,' and told us how it was awful that we didn't think about the health and safety of the workers of North Carolina."

Thinking about John Brooks:

"Here's the horse's ass who runs a lousy operation asking us for more money."

Speaking of the 1994 elections:

"Then, all of a sudden, oops! We got control."

About picking his team for the subcommittee:

"I wanted people sympathetic to the cause, I was looking for pro-business people."

Exchange with Rep. Greenwood concerning OSHA:

"I asked him where he would stand on OSHA, and he said, 'I'll be with you.'"

On recruiting freshman members:

Republican Funderburk. "Oh, I knew Funderburk. Hoo, boy!"

Republican Graham. "a good old southern boy—you can count on them every time."

Republican Norwood. "Everybody knew about Charlie"

About the subcommittee:

"My subcommittee is so conservative it makes me look liberal. We could kill motherhood tomorrow if it was necessary."

After Norwood's suggestion to just "shut down OSHA":

"That's stupid. You can't win that way. You gotta have a bill. I'm smart enough, or dumb enough, to realize that if we don't pass the bill, we haven't done a darn thing."

Ballenger on the drafting of H.R. 1834:

"I'd say that any businessman who happened to come up here to see someone in the House would come by my office and say, 'when you draw this thing up will you look at this please?' We had several groups that came up with finished bills they wanted. The North Carolina Citizens for Business and Industry, of which I've been a member for 30 years, came up with a complete bill. COSH had ideas. We had ex-heads of OSHA come in here and give us advice. They all knew exactly what I should do."

Ballenger on meeting with an official from Unimin Corp.:

"He said that what really bugged him was, being above ground and so forth, he gets inspected by both OSHA and MSHA. So he's got two sets of rules to work off."

Ballenger on Glaxo and OSHA regulations:

"You had to change it every day if you received chemical shipments every day," Ballenger recalled. The company considered it a paperwork headache. "Luckily," said Ballenger, "I killed the hell out of it."

QUOTES OF REPRESENTATIVE LINDSEY GRAHAM

On Republican priorities:

"I think employers now take a different approach with their workers than they have in the past. My job is to get the government up to speed with the times. And the times for me are to reevaluate the role of the federal government in private business. If you believe that is the mandate, OSHA is a great place to start."

About subcommittee:

"This has been a subchapter of the AFL-CIO for 20 years. Now everybody here talks slower—and with a twang."

Talking about patrons of his parents Cafe:

" * * * young Graham would see mill workers "come in with their shirts covered with cotton, white as they could be. There'd be a finger missing on every other person."

On role of government is mandating affirmative action and regulating workplaces:

[it] had "gone from being helpful to being the biggest obstacle dividing and polarizing the nation by race and by employers and employees."

The 'mission' for his generation:

" * * * to "correct the excesses of government from the past generation."

Plant manager from Rep. Graham's district:

"No more damn Democrats. They've got all these inspectors on me. All these crappy regs!"

Following this Graham placed a call to his campaign manager:

"He said, 'We may not have the Rotary, but we have the people running the mills,'" Woodward recalled.

"From then on, he picked up the theme."

Graham to Labor Secretary Reich on what the working people want:

"How do you reconcile your agenda with my election?" Graham who won 60 percent of the vote in a district where the average income was \$13,200, said he counted the times Reich used the phrase "working stiff" in his presentation. "He used the words 'working stiff' 21 times. I wrote it down each time he said it. Well, the working stiff, the little guy, elected me. They picked me!"

QUOTES OF REPRESENTATIVE CHARLES W. NORWOOD, JR.

On OSHA inspectors:

"They need to do what the hell they're told. They've been sitting in their cubicles for 25 years thinking they knew what was best for every industry in this country. They don't. And they don't want to know. All they want to know is what they can get away with to collect money from us."

When speaking to businessmen in his district while campaigning:

"You know, that fellow who runs OSHA, that Joe Dear, well when I get up to Washington I'm gonna call that Joe Dear at 5 every morning and explain to him the problems with OSHA."

To Ballenger about how to deal with OSHA:

There is no need to reform OSHA. * * * They should just close the place down, fire everyone who worked there and just start over. "The only way to do it is to get rid of that crowd."

QUOTES OF REPRESENTATIVE JOHN A. BOEHNER

On OSHA:

"Most employers would describe OSHA as the Gestapo of the federal government."

Boehner on OSHA meetings with Norwood and Ballenger:

"Charlie wanted to prevent OSHA from entering the workplace where there was a serious accident or death if the employer's lost-work ratio was below the industry average. It was one of those issues where you had to walk Charlie through the politics of it, the practicality of it. The politics of it are: 'Charlie, how do you defend that?' If you're going to have OSHA and your goal is to create greater safety in the workplace and somebody dies in the workplace, you have to let them in."

TRIBUTE TO WILLIAM KATTAK

HON. WILLIAM J. MARTINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1995

Mr. MARTINI. Mr. Speaker, I rise today to mourn the passing of a valued member of the Eighth Congressional District in New Jersey.

In the wake of the celebration surrounding the opening of the Korean War Memorial, William Kattak died on the morning of July 31, 1995. As a proud veteran of the Korean war, Mr. Kattak was a patriotic American. He was a former commander of John Raad Post, the American Legion, commander of Passaic County American Legion and a 4th Degree Knight of Columbus.

Along with an ardent commitment to the United States of America, Mr. Kattak enjoyed a lengthy term as a public servant to Passaic County. For more than two decades, he served as the Passaic County clerk where he enjoyed the respect of the entire community. In addition, as an attorney, he served as Passaic County assistant prosecutor, trustee of the Passaic County Bar Association and department head of New Jersey judge advocate. However, Mr. Kattak will probably best be remembered for designing unique alternatives to increase efficiency and reduce bureaucracy in local government. For instance, he was personally responsible for devising a method to invest bail money which, in turn, netted Passaic County taxpayers hundreds of thousands of dollars.

Even with all the meaningful accomplishments in public service, Mr. Kattak will be missed most by his loving family and close friends. He is survived by his wife Adrienne; three daughters, Joanne, Susan and Diane; four brothers and three sisters. The sorrow for the loss of William is summed up in the words of his daughter Diane. "He was the guardian angel in our family. He took care of us and nobody will ever replace him. He was the best father anyone could ever ask for".

Mr. Speaker, I ask that we all bow our heads in the memory of a great American, wonderful husband and loving father. Passaic County lost a great man, but the Kattak family lost a cherished member of a caring family.

THE BATEMEN-SAXTON-EDWARDS
IMPACT AID COMPROMISE**HON. PATRICK J. KENNEDY**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1995

Mr. KENNEDY of Rhode Island. Mr. Speaker, I rise in strong support of the agreement on Impact Aid that has been struck this evening, and I applaud Mr. BATEMAN, Mr. SAXTON, Mr. EDWARDS, and Mr. PORTER'S commitment to ensure adequate funding be provided to the Impact Aid Program when the House and Senate conference on this legislation.

The reason this agreement is so critical is because today we are faced with an \$83 million gap in one of our countries most vital functions: the ability to educate our children and ensure our Nation's prosperity for generations to come. For the past 45 years the Fed-

eral Government recognized its obligation to compensate school districts for the costs of educating children whose parents live or work on federally owned land. I ask my colleagues today, what has happened to that obligation? Has the Federal Government become so single-minded in its attempt to reduce the deficit that it has become blind to the needs of our Nation's children.

Many of these children are those of the men and women who serve in our Nation's armed services. Is cutting their children's education how we choose to pay back the people who faithfully serve our country? In my opinion it's a crime to tell the children of military impacted communities that they have to receive a sub-standard education because the Federal Government does not want to pay it's fair share.

Many schools have had to close due to cut-backs in the Impact Aid Program. Many more have had to incur huge deficits just to keep operating. From Nebraska and South Dakota to New Jersey and New York schools of all sizes have had major difficulty keeping their doors open.

But the necessity of Impact Aid goes far beyond the 1.8 million children who are eligible under the program. Terminating the program will also have a significant impact on the 20 million students who attend schools that are dependent on Impact Aid funding. In my own district, thousands of children in the Middletown, Newport, and Portsmouth school districts are largely effect by the Impact Aid Program. What will happen to these children if this program goes unfunded? Where will they go if their school closes down?

Impact Aid is about more than education, it is also about the strength of communities. The people of Middletown, RI tell me they are particularly proud of the community, their schools, and their military population. For over 200 years these same people have extended themselves to the military and have achieved an excellent reputation that is passed from generation to generation of servicemen and women at the Naval base on Aquidneck Island. But there are limits to these relationships. It is unreasonable to expect local taxpayers to increasingly subsidize the education of military students.

Even with full funding of Impact Aid, Middletown Public Schools still experience over a \$4 million loss in tax revenue from land occupied by the Navy instead of private housing or businesses. If the proposed reductions go into effect, a bad situation will become undoubtedly worse.

Mr. Speaker, the choice is ours and the choice is clear. We can choose to fund the future of America's students today or be prepared to pay the costs of an uneducated and unskilled work force tomorrow. I am gratified the leadership of this body has made the right choice and has committed itself to providing for our children's future.

FREDDIE MAC'S 25TH ANNIVERSARY
JULY 24, 1970—JULY 24, 1995**HON. RICHARD H. BAKER**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1995

Mr. BAKER of Louisiana. Mr. Speaker, 25 years ago, Congress took a bold and innova-

tive approach to help millions of American families own a home. During 1969 and 1970, hard-working Americans who wanted to buy a home were confronted with an economic nightmare of high inflation and escalating interest rates. In short, money to buy a home was scarce and expensive.

On July 24, 1970, in response to the collapse of the country's mortgage finance system, Congress created the Federal Home Loan Mortgage Corporation, commonly known as Freddie Mac. Its mission was clear: to help Americans buy homes by tapping a consistent flow of funds from national and international capital markets.

Freddie Mac has dedicated its resources and innovation to fulfilling that mission. Since 1970, Freddie Mac has purchased \$1.2 trillion in mortgage loans, which has enabled 16 million American families achieve the dream of an affordable and decent house.

Freddie Mac purchases mortgage loans from lenders, packages these loans into securities, and sells these securities to investors. Through this process, Freddie Mac has created a broad, liquid, and efficient nationwide secondary mortgage market that is the envy of the world.

As my colleagues are acutely aware, in these times of severe budget restraints, it is important that the private and the public sector join as partners to increase housing opportunities for low- and moderate-income families. Freddie Mac is an exemplary model of this partnership. Freddie Mac has worked with State and local governments to leverage resources for homeowners across the Nation. In addition, Freddie Mac has increased its mortgage purchases of low- and moderate-income homebuyers from 28 percent in 1993 to 38 percent in 1994. Many of these mortgages are for homes owned by minority homebuyers and in central cities and in rural areas.

Mr. Speaker, by every measure Freddie Mac is a great success. As we work to consolidate government to serve taxpayers more effectively, we call on Freddie Mac to continue its commitment to all American homebuyers from all walks of life.

I am sure that my colleagues and the American people join me in expressing our appreciation and congratulations to Freddie Mac on their 25th anniversary. We wish Freddie Mac well in its next 25 years.

PROTECT FUNDING FOR THE CORPORATION FOR PUBLIC BROADCASTING

HON. MIKE WARD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1995

Mr. WARD. Mr. Speaker, I rise today in strong support of the continued funding of the Corporation for Public Broadcasting and in opposition to the proposed funding cuts in the Labor/HHS/Education Appropriations Act.

This legislation provides \$240 million for the Corporation for Public Broadcasting for fiscal year 1998. This figure represents a \$20 million decrease in funding from the 1997 allocation and is \$56.4 million below President Clinton's request. Let me put it another way, this is a \$20,000 funding cut for the Corporation for Public Broadcasting.

The Corporation for Public Broadcasting has already suffered an 11.8 percent cut in the re-scissions bill passed earlier by this House. This further reduction proposed by the Labor/HHS/Education appropriations bill will be devastating.

One needs only to consider the impact these funding cuts will have upon rural television stations, primarily in areas where access to cable television is extremely limited and where the only educational television and radio programs come from public broadcasting. In Kentucky, the majority of residents rely on public broadcasting for all educational programming, including programs which enable individuals to obtain high school equivalency degrees and attend college courses via television. Public broadcasting also provides invaluable children's programs to help educate children at home as well as in school.

I urge my colleagues to consider the impact these funding cuts would have upon those who rely on public broadcasting the most. I urge my colleagues to oppose these cuts and work together to protect the Corporation for Public Broadcasting.

INTRODUCTION OF A BILL TO REDUCE POLITICAL ASYLUM ABUSE

HON. BOB FRANKS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1995

Mr. FRANKS of New Jersey. Mr. Speaker, today I am introducing a bill to root out fraud and abuse in our current system of political asylum.

Throughout the world, the human rights of prisoners of conscience and political opponents are casually exploited. Amnesty International's annual report, released last month, cites the fact that 78 countries still hold "prisoners of conscience."

For those people, the United States must extend its hand and offer refuge through political asylum.

Our Nation has always been a beacon of hope for people around the world seeking a safe haven from political, ethnic, racial, or religious persecution.

But it is important to keep the doctrine of political asylum in perspective. It represents only one element of America's immigration policies.

Last year, for example, our Government allowed more than 800,000 aliens to legally enter the United States. Of that total, only 11,784 were granted political asylum.

And until 1980, political asylum was a treasured and sparingly-used provision in our immigration laws, enabling our Nation to fulfill its commitment to protect those fleeing their homelands because of oppression.

But changes made in the asylum laws in the 1980s opened up the system to widespread abuse.

These well-intended but ill-conceived reforms included providing an unintended economic incentive for aliens to seek entry into the United States by claiming political asylum.

Most importantly, it gave asylum seekers permission to legally work in the United States while their claims were being considered by officials of the Immigration and Naturalization Service [INS].

Although President Clinton recently modified the work-permit provision, the floodgates had already been opened.

Asylum seekers have been pouring into the United States in staggering numbers.

Prior to 1980, less than 5,000 people a year sought political asylum in the United States. But last year alone, a record number, 150,000 in all—filed claims of political asylum. The New York-New Jersey metropolitan region is becoming a magnet for individuals seeking the protected status of political asylum. During the first quarter of this year, 8,165 people applied for asylum through the Newark District Office. Another 8,795 aliens made the same claim at the New York INS office.

The political asylum process has spun out of control.

Moreover, political asylum has become an increasingly popular route to circumvent safeguards in the law that help us to weed out bogus and fraudulent claims.

Contrary to popular opinion, it is not easy to gain legal entry into the United States. That fact can be attested to by the 3.4 million people around the world who are waiting for visas to be issued by our Government in order that they can legally come to the United States. Some of those people, depending on their home country and the immigration quota that applies to it, wait up to 10 years before they are issued a visa.

While many of those who arrive on our shores seeking political asylum have an arguable basis for their claim, others use it as an opportunity to leap frog over those 3.4 million people who are waiting in line for the issuance of their visa.

Even though the criteria are lax, the law on political asylum is clear when it says that the asylum candidate "must face a reasonable fear of persecution."

Today, there are people boarding planes and boats around the world, hoping to start a new life in the United States with phony claims of political asylum. And the odds are they'll be successful.

Political asylum has become a popular backdoor entrance to the United States. And with good reason. The system is easy to exploit.

By simply stepping off a plane and proclaiming the magic words "political asylum," an individual gains special status that enables him to stay in the United States until his claim is verified. The lengthy and cumbersome process of reviewing asylum cases is filled with opportunities for an individual, with no legitimate claim of political asylum, to slip away and become part of our Nation's ever-increasing population of illegal immigrants.

New Jersey has become a major center for illegal immigrants. The INS ranks my State sixth in the Nation in the number of illegal immigrants.

Of the thousands of people who arrive each year in the New York-New Jersey area seeking political asylum, only 1.6 percent are actually detained until the outcome of their claim is determined.

The sheer volume of asylum claims and the severe shortage of detention facilities, has forced the Immigration and Naturalization Service to release a vast majority of those awaiting adjudication of their claim of political asylum. They are set free—released on their own recognizance and told to return on a specified date for a hearing.

At least one-third of those set free will never be seen again. They simply disappear, joining the ranks of the illegal immigrant population in our area.

Of all the political asylum claims, only 10 to 15 percent are found to be legitimate by the INS and are granted permission to remain in the United States. The others are ordered back to their homeland.

But when the time comes to report for deportation, the vast majority—more than 90 percent—do not show up. And in all likelihood will never be found. They too have joined the illegal immigrant population.

The backlog of pending asylum applications has swelled to almost 450,000 cases, leading to extensive delays. Those unfortunate individuals with legitimate claims of political asylum are forced to spend months and even years in this country living with the uncertainty of not knowing whether they will be forced to return to their homeland.

The facts leave little doubt that the current system of political asylum is out of control.

Today, I am introducing legislation that will significantly modify how the INS deals with claims of political asylum. It is designed to send a clear signal around the world that fraudulent claims of political asylum will no longer be tolerated. The goal of my legislation is to preserve the fundamental principle of political asylum, while closing up the giant loopholes that are corrupting the process.

My bill targets individuals who escape or leave their homeland and travel to another country before coming to the United States.

It establishes a series of procedures which will have the effect of deterring those with no legitimate claim of political asylum from ever venturing to the United States.

Let me explain the key provisions of the bill.

It seems to me that an individual who fears for his safety because he is suffering severe discrimination or life-threatening treatment should be required to stop at the first country that would offer him "safe haven."

But under the current law, these refugees most often choose to pass by the first country that could offer safe haven and continue their journey to the United States. Fifteen years and hundreds of thousands of claims for political asylum later has taught us that many of these individuals are not seeking a safe refuge that comes from political asylum, they are actually looking for the economic opportunities that America has to offer.

Under my legislation, anyone who passes through another country that could offer a safe haven for political asylum would not be allowed to travel through to the United States and remain here while their claim is being adjudicated.

Upon entering the U.S., these asylum seekers would be sent back within hours to the country they passed through that would offer them political asylum. European countries have been following a similar course of action for many years.

In 1990, The European Community convened the Dublin Convention to establish a uniform standard for examining applications for asylum seekers that travel through several countries. The purpose of the Convention was to ensure that an application was examined by only one Member State, ignoring the preferences of asylum seekers that results in "nation shopping." Members incorporated the "country of safe haven" principle which requires asylum requests to be reviewed by the

first country which the applicant arrives in outside his country of origin.

In July of 1993, Germany overhauled their asylum law, effectively reducing their monthly asylum application load from 37,000, after an explosion of asylum applications that increased from 20,000 in 1983 to 438,000 a decade later. Germany's asylum laws also include a "country of safe haven" provision making certain asylum applicants ineligible.

It's time the United States follow the lead of the European Community and adopt the "first safe haven" approach. By doing so, we would eliminate the incentive for aliens to "nation shop," looking around for the country they believe offers them the best opportunity for economic prosperity, not political freedom.

In order to ensure that those with legitimate claims for asylum are protected and find a safe haven, my bill provides added protection for legitimate asylum seekers. Under special circumstances, it allows them to stay in the United States awaiting a hearing. An alien who returned to the first country they passed through which could offer a safe haven, but was denied entry, would be allowed to remain in the United States pending a hearing. In addition, if an individual can demonstrate that being returned to the first country of safe haven could subject him to further persecution, he too would be allowed to stay. But the bill attaches a significant condition to asylum-seekers who are returned to the United States—one that further discourages abuse of the system. While they are in the United States awaiting a hearing on whether they can stay here legally, they must be held in a detention facility.

This fall Congress is expected to take up the issue of immigration reform. In the coming weeks, I will work to make sure this new approach to granting political asylum is included in the immigration reform package to be considered by the House.

The United States is a Nation of immigrants. We should continue to embrace people of different races and cultures who want to make America their new home. Their presence enriches our culture and makes our nation a very special place.

America should continue to be the land of opportunity for legal immigrants but not for those who take advantage of our generosity and our compassion to enter the country illegally. I urge my colleagues to cosponsor my legislation.

THE CONGRESSIONAL ASSAULT ON TRIBAL SOVEREIGNTY

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1995

Mr. RICHARDSON. Mr. Speaker, I share the grave concerns of my colleagues and the more than 550 American Indian and Alaska Native tribes of this Nation regarding the unprecedented budgetary cuts and assaults on tribal sovereignty currently underway in the 104th Congress. As the former chairman of the House Subcommittee on Native American Affairs, I find it especially difficult to watch as this body attempts to undermine the hard fought victories that Indian tribes have won in the past 30 years.

It is hard to understate the enormity of the cuts in this year's appropriations bills. For instance, the House Interior appropriations bill cuts BIA and Department of Education funding for Indian education by \$61 million, eliminates important scholarships and adult education, and restricts funding of self-determination contracts and self-governance compacts. The Interior bill fails to include enough funding for the Indian Health Service to maintain its current level of services. And, the House Interior report penalizes tribal self-determination and economic growth by requiring the Secretary of the Interior to prepare a means testing report on Indian tribes who conduct gaming operations.

The Commerce, Justice appropriations bill eliminates the line-item for Indian legal services. The Agriculture appropriations bill calls for the termination of the commodities program. The VA-HUD appropriations bill cuts funding for new Indian housing by two-thirds. The Labor-HHS appropriations bill eliminates additional Indian education funding, funding for the protection of tribal elders, reduces meals for tribal elders by \$845,000, and eliminates the low-income heating assistance program. In addition, the Labor-HHS bill would put sharp curbs on the amount of political or legal advocacy that tribal governments or organizations could undertake at the Federal level.

The tribal outcry that has arisen because of these actions and others should tell us that we need to seriously examine and rethink our relationship with Indian country. In order to do so, we must:

Recognize that tribes are sovereign entities and not merely another set of minority or special interest groups.

Acknowledge our moral and legal responsibility to protect and aid Indian tribes.

Adhere to a set of principles that will enable us to deal fairly and honestly with Indian tribes.

From the founding of this Nation, Indian tribes have been recognized as distinct independent, political communities exercising the powers of self-government, not by virtue of any delegation of powers from the Federal Government, but rather by virtue of their own inherent sovereignty. The tribes' sovereignty pre-dates the Constitution and forms the backdrop against which the United States has entered into relations with the Indian tribes.

The United States also has a moral and legal trust responsibility to Indian tribes. Since the founding of the country, the U.S. has promised to uphold the rights of Indian tribes, and serve as the trustee of Indian lands and resources. The U.S. has vowed, through treaties such as the 1868 Navajo treaty, that Indians would be housed, educated, and afforded decent health care. We have failed on nearly every count.

Perhaps we need to look to the past in order for us to understand our proper relationship with Indian tribes. More than two centuries ago, Congress set forth what should be our guiding principles. In 1789, Congress passed the Northwest Ordinance, a set of seven articles intended to govern the addition of new States to the Union. These articles served as a compact between the people and the States, and were to forever remain unalterable, unless by common consent. Article three set forth the Nation's policy towards Indian tribes:

The utmost good faith shall always be observed towards the Indians; their land and

property shall never be taken away from them without their consent * * * but laws founded in justice and humanity shall from time to time be made, for preventing wrongs to them * * * ."

Each of us should memorize these words. Our forefathers carefully and wisely chose these principles to govern the conduct of Congress in its dealing with American Indian tribes. Over the years, but especially in this Congress, we have strayed from these principles—the principles of good faith, consent, justice and humanity. It is time for us to return to and remain faithful to these principles.

U.S.S. INDIANAPOLIS MEMORIAL

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 1995

Mr. JACOBS. Mr. Speaker, all Americans will be grateful to the Congress and to the President for adopting last year the following resolution commanding the noble service to our country rendered by the U.S.S. *Indianapolis* and its crew. The death of the *Indianapolis* and very many of its hands represents one of the more poignant tragedies of World War II inasmuch as it all happened shortly before the end of hostilities with Japan.

At long last a suitable monument has been erected in the city of Indianapolis. The monument was dedicated on the second day of August of this year. In addition to the resolution itself which follows, I insert a story from the *Indianapolis News* and a story from the *Indianapolis Star* about this touching occasion.

Special tribute should be paid to Patrick J. Finneran, Capt. James Holds, USN retired, Dr. Giles G. McCoy and Robert H. McKinney, who together with other pillars in the *Indianapolis* community, worked tirelessly and lovingly to bring all of this well deserved remembrance about.

THE CONGRESS OF THE UNITED STATES OF AMERICA, THE 103d CONGRESS ASSEMBLED, LAW No. 103-337

SEC. 1052 U.S.S. *Indianapolis* (CA-35) For gallantry, sacrifice and a decisive mission to end world War II.

1. The U.S.S. *Indianapolis* served the people of the United States with valor and distinction throughout World War II in action against enemy forces in the Pacific Theater of Operations from 7 December 1941 to 29 July 1945.

2. The fast and powerful heavy cruiser with its courageous and capable crew, compiled an impressive combat record during her victorious forays across the battle-torn reaches of the Pacific, receiving in the process ten hard-earned Battle Stars from the Aleutians to Okinawa.

3. This mighty ship repeatedly proved herself a swift hard-hitting weapon of our Pacific Fleet, rendering invaluable service in anti-shipping, shore bombardments, anti-air and invasion support roles, and serving with honor and great distinction as Fifth Fleet Flagship under Admiral Raymond Spruance, USN, and Third Fleet Flagship under Admiral William F. Halsey, USN.

4. This gallant ship, owing to her superior speed and record of accomplishment, transported the world's first operational atomic bomb to the Island of Tinian, accomplishing her mission at a record average speed of 29 knots.

5. Following the accomplishment of her mission, the *Indianapolis* departed Tinian for

Guam and, thereafter, embarked from Guam for the Leyte Gulf where she was to join with the fleet assembling for the invasion of Japan.

6. At 0014 hours on 30 July 1945, the U.S.S. *Indianapolis* was sunk by enemy torpedo action.

7. Of the approximately 900 members of her crew of 1,198 officers and men who survived the initial torpedo attack, only 319 were eventually rescued because, as a result of the ship's communication ability having been destroyed in the attack, the sinking of the U.S.S. *Indianapolis* was not discovered for five fateful days, during which the survivors suffered incessant shark attacks, starvation, desperate thirst, and exposure.

8. From her participation in the earliest offensive actions in the Pacific in World War II to becoming the last capital ship lost in that conflict, the U.S.S. *Indianapolis* and her crew left an indelible imprint on our nation's struggle to eventual victory.

9. This selfless and outstanding performance of duty reflects great credit upon the ship and her crew, thus upholding the very highest traditions of the United States Navy.

RECOMMENDATION AND COMMENDATION

Congress, acting on behalf of the grateful people of the United States, hereby—Recognizes the invaluable contributions of the U.S.S. *Indianapolis* to the ending of World War II; and, On the occasion of the 50th Anniversary of her tragic sinking, and the dedication of her National Memorial in Indianapolis on August 2nd, 1995, commends this gallant ship and her crew for selfless and heroic service to the United States of America.

CREWMEN APPLAUD U.S.S. "INDIANAPOLIS" MEMORIAL—107 SURVIVORS ATTEND CEREMONY DOWNTOWN

(By Welton W. Harris II)

As the sun beat down on today's dedication of the USS *Indianapolis* national memorial, 3,500 onlookers stood and applauded 107 crewmen who survived the sinking 50 years ago.

For those who didn't make it, like Adrian Marks of Frankfort, Dr. Giles G. McCoy, chairman of the survivors' group, said it all: "He was there when we needed him, and that was the important thing."

The ceremonies today at the headwaters of the Downtown Canal concluded a 30-year effort to raise a memorial to the ship and its crew, especially the 880 who didn't survive.

The *Indianapolis* was en route from Guam to Leyte on July 30, 1945, when it was torpedoed and sunk by a Japanese submarine.

Because of wartime conditions, and partly through negligence, the loss of the heavy cruiser went undetected for four days.

Survivors were left in the Pacific Ocean, where many drowned or became victims of shark attacks.

While flying patrol on Aug. 2, Lt. Wilbur C. Gwinn detected an oil slick. When he flew lower, he saw the survivors. He radioed for assistance, which came in the form of Lt. Marks and the crew of his *PBY* flying boat.

Gwinn, who died two years ago, was represented at today's ceremonies by his widow, Norma.

Marks, whose health prevented him from attending, picked up 56 survivors and broke radio silence with his distress signal. Five rescue ships responded.

Of the crew, only 317 survived.

Today, there are 127 living, and 107 came to see the granite and limestone memorial.

Louis P. Bitoni of Warren, Mich., was a seaman first class gunners mate 50 years ago.

Today, he brought 22 members of his family to the ceremonies, including his wife, brothers and their wives, his children and grandchildren.

After the unveiling he said: "It's great. It's everything I hoped it would be."

Dr. Lewis Haynes of Naples, Fla., the ship's doctor, and Harold Schechterle of Shelburn Falls, Mass., recounted their experience 50 years ago.

Haynes had removed the appendix of the ship's radar operator eight days before the sinking.

"It would be harder today," the doctor told his former patient, pointing at Schechterle's midsection, which Haynes said had grown over the years.

McCoy, part of the U.S. Marine detachment on the *Indianapolis*, brought his wife, three children and four grandchildren.

He has been chairman of the survivors association since it formed in 1960 and held it first gathering in Indianapolis.

Accepting the memorial today on behalf of the association, McCoy cut short his remarks.

"This heat reminds me of what it was like out there in that sea 50 years ago," he said.

Despite the heat and humidity, crowds lined both sides of the canal and the memorial plaza for the 50-minute ceremony, led by Marine Sgt. Maj. Mac Magana of Indianapolis.

When the canvas fell away from the memorial the crowd again stood and applauded.

Within minutes, two old warbirds, replicas of the aircraft that found the survivors—a *PBY* and a *PV2 Harpoon*—lumbered over the site as the participants again applauded.

Tuesday night, more than 2,000 people—including "lost-at-sea family members"—attended a "Banquet of Thanksgiving" at the Hyatt Regency.

McCoy's son, Craig, 43, of Abilene, Texas, said now that the survivors' numbers are dwindling, their children have formed the group "Second Watch" to carry on the tradition.

MEMORIAL TO THE U.S.S. "INDIANAPOLIS" HELPS THE SURVIVORS PUT THE TRAGEDY BEHIND THEM

(By R. Joseph Gelarden)

As the chilling echoes of taps cut through a blistering summer sun, Eleanor Sforzo stood quietly. Her son, Joe Musarra Jr., reached out his burly arm and pulled her to his side.

Both had tears in their eyes—the smallish, white-haired woman remembering a young sailor who never came home, and her son, a Cleveland police sergeant, whispering a prayer for the dad he never knew.

The two were among the thousands gathered Wednesday at the Downtown Canal to dedicate a national memorial to the USS *Indianapolis*, the last U.S. ship lost in World War II.

Hundreds of old sailors, their once-dark military haircuts replaced with gray, joined with the wives and families of their shipmates in Downtown Indianapolis for a final salute to the fallen ship and the hundreds of crewmen who perished in the Pacific after the ship was torpedoed by a Japanese submarine.

"It's a very special day," Sforzo said.

It was a different world when Eleanor married Joe Musarra. The world was at war, and the rules seemed simple: Men went into the service, women stayed home.

Joe Musarra was assigned to the USS *Indianapolis*, one of the Navy's fastest and most powerful floating weapons. She was a veteran of 10 battles and served as a flagship for fleet admirals. She carried President Franklin D. Roosevelt on so many trips that he called her his "ship of state."

HELPED END THE WAR

Joe and Eleanor had only a few days together before he was ordered back to San

Francisco to rejoin the *Indianapolis* for another mission. The ship had been ordered to speed to a tiny Pacific island to deliver a top-secret cargo, critical parts for the atomic bomb that was dropped on Hiroshima, Japan, in an act that ended the war.

"The ship was sunk in July. I was born in January," the son explained.

Eleanor remarried and had nine kids. She loved her new husband; but deep in her heart, she remembered her Joe.

"I hurt for a long time. But now the time for hurt is past. This (monument) is so nice. It is like a final memorial service," she said.

"Tell the people (the survivors) that they (the sailors that perished) are now with God and He takes special care of His own," she said.

For Charles B. McVay IV, the service was a fine tribute. But for his family, the story didn't end Wednesday. It won't be closed until the Navy wipes the court-martial off his father's record.

The sinking of the USS *Indianapolis* was the Navy's greatest sea disaster. About 880 of the nearly 1,200 crewmen were able to escape the sinking ship, which went down in only 12 minutes. Of the 880, only 317 were rescued days later.

For Capt. McVay, survival meant humiliation. The Navy brass, looking for a scapegoat, court-martialed him for failing to take a zig-zag course—one in which the ship might have avoided an attack.

Years later, his career ruined and still haunted by the military action, McVay committed suicide.

McVay's son, now 70, and many of the survivors who gathered for the memorial believe it's only right that the Navy admit it was wrong and take steps to erase that black mark from history. But until now, their requests have been rejected by presidents, Navy secretaries and admirals.

"Last night, at the survivor's dinner, Admiral Quast (Vice Admiral Philip M. Quast, the official Navy representative at the ceremony) and the Navy legal man (Joseph G. Lynch, assistant general counsel for the Navy Department), admitted to me that the court-martial was wrong. . . . It should never have happened," said McVay.

"It is the first time the Navy has ever admitted the truth. Maybe there is now a chance to clear his name."

SHIP'S BELL RINGS AGAIN

Mike G. Obledo, 70, Houston, was one of McVay's sailors on the *Indianapolis*. But he didn't know the skipper. He was just another seaman on a great ship.

Wednesday, he and the other sailors marched into the ceremony as boatswain's pipes sang out and the old ship's bell tolled. The bell was removed from the ship when she went into wartime service. It is now kept at the Hessler Naval Armory in Indianapolis.

Obledo and his shipmate, Gus Kay, now a deputy sheriff in Illinois, were self-styled "young punks" when they were dumped into the milk-warm waters of the Pacific after the incident.

"I was on a net raft. The sharks took 63 of our guys, but I don't know how I survived," said Kay.

But Obledo thinks he knows the secret.

"It was prayer. That was about the size of it. You prayed. If you didn't know how to pray, you learned real quick."

On Aug. 2, 1945, the crewmen of the *Indianapolis* were rescued.

Fifty years later, under a similarly searing sun, they finally were able to pay tribute to the ship, their lost shipmates and their families, and to each other.

"It's over," said retired *Indianapolis* firefighter Jim O'Donnell, the only local survivor.

"It's finally over."

DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES,
AND EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 1996

SPEECH OF

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes:

Mr. FAZIO of California. Mr. Chairman, this bill is an outrage, and it deserves to be repudiated and rejected by every member of this body.

This bill is unfair to the people who depend most on our government; our children and the elderly. This bill is shortsighted. It does not provide for investment in students and workers—the very people who will grow our economy.

This bill cuts \$6.3 billion from programs that average working families depend on.

Why? The unvarnished truth is that my Republican colleagues feel the need to finance a tax break that goes largely for wealthy Americans. Don't buy the argument that this is just for deficit reduction.

Every Democrat in this House is prepared and committed to bring our budget into balance, and provide a solvent, secure future for our children.

Yet, one-half of the cuts in this bill are stolen directly from the single best investment we can make in our future: Education.

Overall spending on education has been slashed by nearly \$4 billion. Few children have been spared. Some of the most significant and effective programs for kids—including title 1, School-to-Work, and safe and Drug-free Schools—are subject to potentially crippling cuts.

It's an exhaustive list, and frankly, to reduce this bill to a series of programmatic cuts, masks the underlying meanness of this bill. In its breadth and scope, this bill is simply a monster of inequity. If you're the principal wage earner in a hard-working family, or you've found yourself among the growing ranks of the working poor, and you desire to provide a brighter future for our children, this bill is a declaration of war.

In fact this bill declares war on opportunity. This bill puts politics ahead of principle. This bill values pay-offs ahead of the needs of people.

This much is certain. The Republicans don't discriminate. That is, if you're not on the receiving end of the Republican tax bail-out—if you're elderly, poor, young, unemployed, or just struggling to get by—you suffer in equal measure.

Seniors fare no better than our children. This bill sends a strong message to our senior citizens that their past efforts are no longer acknowledged, and that their current contributions are no longer appreciated.

This bill guts the Older Americans Act, including Green Thumb. It targets other programs which provide preventive health support, pension and Medicare counseling, and home meals to a growing senior population.

This bill undercuts the health and safety of American workers. It undermines the enforcement of hour and wage laws. It makes it more difficult for people who have lost their jobs to find new jobs by slashing job training. Some of the most vulnerable members of our society are subject to the most extreme—the most harmful—and the most mean-spirited provisions in this bill. If this bill is passed, victims of rape and incest will no longer be guaranteed the right to an abortion.

I urge my colleagues to stand up for working families and reject this bill. Don't allow the Gingrich Republicans to sell us down the river so they can reward their wealthy friends.

DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES,
AND EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 1996

SPEECH OF

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes:

Mr. SERRANO. Mr. Chairman, I rise to express my extreme distress—even disgust—at the way H.R. 2127 provides for the programs of the Department of Health and Human Services. I was privileged to serve on the Labor—HHS—Education Subcommittee in the last Congress, and I was proud of our work under Chairmen Natcher and Smith and ranking Republican PORTER. But this bill is a disgrace, and I am glad I had no hand in writing it.

The bottom line is that this bill does not include enough money to meet the Federal obligation to protect and improve the health and well-being of all of us in the United States, but particularly of the most vulnerable among us. The victims of these cruel HHS spending cuts are many, and include the elderly, children, women, and working people. The few bright spots are not enough to save the bill.

There were modest increases in funding for community and migrant health centers and the maternal and child health block grant, but these came entirely at the expense of title X family planning, which was terminated, and the increases disappeared last night when family planning was restored.

This bill slashes, by more than 50 percent, the Healthy Start Program, which is today successfully reducing infant mortality in the South Bronx and other places.

There is a very small increase in the Ryan White CARE Act, but only for title I. The other titles are flat funded, although the HIV/AIDS epidemic continues to grow. My congressional district in the South Bronx is particularly hard hit by HIV/AIDS, and Ryan White funds from

all titles are crucial to meeting the needs of the growing numbers of affected women, children, and adolescents.

There is a modest increase for the Centers for Disease Control and Prevention. But, while increases in key prevention programs such as sexually transmitted diseases, breast and cervical cancer, chronic and environmental diseases, and infectious diseases are welcome, equally critical prevention programs for HIV/AIDS, tuberculosis, lead poisoning, and injury are flat funded. And the National Institute for Occupational Safety and Health is cut by 25 percent and its training program is eliminated.

The bill quite appropriately increases funding for the National Institutes of Health, where scientists seek new understanding of biological processes and disease mechanisms that will permit us to challenge and defeat threats to our health, improving quality of life and saving lives. But the bill eliminates the separate appropriation for AIDS research, putting execution of the annual plan for NIH AIDS-related research, which Congress mandated, at risk.

The bill cuts nearly \$400 million from the Substance Abuse and Mental Health Administration and totally eliminates the Center for Substance Abuse Prevention at the same time the Republicans' welfare reform proposals will vastly increase the need to prevent and treat mental illness and substance abuse.

The bill slashes the Agency for Health Care Policy and Research, a key player in learning—and disseminating its findings on—how to provide health care that is both high-quality and cost-effective.

There is a modest increase in the Job Opportunities and Basic Schools [JOBS] Program, which helps welfare recipients become self-sufficient.

The bill kills the Low-Income Home Energy Assistance Program [LIHEAP], which is simply immoral. Poor, mostly elderly people have died of the cold last winter and in the nationwide heat wave this summer. Killing LIHEAP assures that more of them will die.

The child care and development block grant is flat funded and obligation of its funds is delayed until the end of fiscal year 1996, at the same time the Republicans' welfare reform will be forcing more mothers of young children into the workplace.

This bill cuts Head Start. Cuts Head Start, Mr. Chairman. Maybe not by much, but Head Start is one of the most popular and successful early childhood programs we have, and, until this year, it has been permitted to expand toward the goal of meeting the needs of all eligible children. Many are still unserved, and more will be dropped from the program with this cut.

The bill cuts funding for temporary childcare/crisis nurseries and for abandoned infants assistance. It cuts child welfare training and research and adoption opportunities. It cuts development disabilities programs, Native American programs, and homeless services grants.

The bill savages the violent crime reduction programs enacted just last year.

The bill slashes Older Americans Act programs, including such services as prevention of elder abuse, preventive health, and the vital nutrition programs.

This bill, Mr. Chairman, even cuts basic functions of the Office of the Secretary, such as civil rights—and even the HHS inspector general.

Mr. Chairman, that's just funding. The riders related to HHS programs are astonishingly

wrong-headed. They trample on the health and well-being of our people. The abortion issue is the source of most of the mischief—this bill limits women's right to reproductive freedom, denies biomedical researchers—and sufferers from certain diseases—the hope of finding new treatments or cures using fetal tissue acquired under tight controls, and limits the ability of accrediting bodies to set standards for medical training.

Then there's title VI, a whole new bill that limits political advocacy by Federal grantees. Who is better prepared than providers of health, social, educational, and other services, to advise policymakers on the needs of their clients and the efficacy of various programs they participate in? And how do we justify proposing to violate these groups' first amendment rights to freedom of expression with their own money? The clear purpose of title VI is to silence the advocates for the poor, the sick, the elderly, the green, and other people whose needs or whose views of Federal obligations and Federal programs do not have the authors' support.

On the whole, the title II and the related legislative provisions of this bill are part and parcel with the entire bill—cruel and disastrous. This bill is a mean-spirited joke on anyone who believes that the Federal Government has a moral obligation to protect and improve the health and well-being of our population and to make the investments in our people that help them to be self-sufficient and our economy to be competitive.

The problems with this title illustrate why the entire bill deserves swift defeat and a complete rewrite. I urge my colleagues to reject H.R. 2127.

DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES,
AND EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 1996

SPEECH OF

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes:

Mr. BEREUTER. Mr. Chairman, this Member rises today in opposition to the amendment by the gentleman from Arizona [Mr. KOLBE] that would strike the language in the bill that clarifies the congressional intent regarding the interpretation of the Hyde amendment.

This Member was one of the first Members of Congress to speak against the 1993 Clinton administration directive that required States to fund Medicaid abortions in cases of rape or incest. This directive is an unjustified and incorrect interpretation of the law and of congressional intent. It is certainly not the intent of Congress to mandate States to fund Medicaid abortions in the case of rape or incest, regardless of State law. The 1993 Hyde amendment

to public law was very clearly not a mandate, but an enlargement on the limitation on the use of Federal funds, allowing States to use Medicaid funds to finance abortions in the case of rape or incest and of course to save the life on an indigent mother. The language in the bill we are considering today, would this Member hope once and for all, restates and further clarifies the original congressional intent in statute.

Mr. Chairman, this Member urges his colleagues to oppose the Kolbe amendment.

DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES,
AND EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 1996

SPEECH OF

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes:

Ms. BROWN of Florida. Mr. Chairman, I stand in strong support of Mr. GANSKE's amendment; and reaffirm the traditional policy of the Congress toward accreditation of medical schools and teaching hospitals. I believe that the medical profession, itself, should establish responsible standards for the recognition and approval of graduate medical education programs.

Further, I strongly oppose attempts by this Congress to interfere with the content of medical education and training standards of a private accrediting board. The Accreditation Council for Graduate Medical Education [ACGME] requirement, as currently written, allows individual medical residents—as well as institutions with religious or moral objections—to opt out of abortion training, so government intervention to protect individual conscience is not needed.

To prevent abortion training altogether because of the religious convictions of some, is ridiculous. Surely, this Congress will not be allowed to stand in the way of medical science and return us to an era of superstition and of strict religious control.

DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES,
AND EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 1996

SPEECH OF

HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education,

and related agencies, for the fiscal year ending September 30, 1996, and for other purposes:

Mr. STUMP. Mr. Chairman, I rise in support of the bill.

I also want to thank Chairman PORTER for the cooperation and assistance he has given the Veterans' Affairs Committee on the portion of the bill for the Veterans' Employment and Training Service [VETS] at the Department of Labor.

Despite deep cuts in many other programs, VETS would be maintained very close to historic funding levels.

Mr. Chairman, I especially want to commend Chairman PORTER for being extremely receptive to concerns raised by the Veterans' Affairs Committee regarding funding for the National Veterans Training Institute in this bill.

The \$2.8 million in the bill for fiscal year 1996 will enable the institute to continue providing quality training to both veterans groups and Government employees who help veterans find meaningful employment and job training.

Mr. Chairman, I yield back the balance of my time.

A PROGRAM THAT WORKS

HON. JOHN M. SPRATT, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 1995

Mr. SPRATT. Mr. Speaker, Richard W. Riley, Secretary of the Department of Education and former Governor of my State of South Carolina, recently addressed the Council of State Administrators of Vocational Rehabilitation [CSAVR] as part of their annual meeting here in Washington. CSAVR is a national organization composed of the chief administrative officers of the State vocational rehabilitation agencies with responsibility for the administration of the Rehabilitation Act in the States and territories. They provide eligible individuals with mental or physical disabilities with the services needed for them to be placed in jobs in the competitive labor market.

In light of the recent attempts by the Economic and Educational Opportunities Committee to diminish the work of these dedicated men and women, I urge my colleagues to read Secretary Riley's remarks.

REMARKS OF RICHARD W. RILEY

Good morning, ladies and gentlemen. It is a great pleasure to have the opportunity to meet with you today. I want to thank Joe Owens and Elmer Bartels. I would like to recognize Judy Heumann, my Assistant Secretary for Special Education and Rehabilitative Services who has worked so effectively on these issues and her Deputy, Howard Moses who is here today.

A PROGRAM THAT WORKS

All of you are to be commended for the work you are doing in your states to help make the Vocational Rehabilitation program one of the shining examples of what works in our nation—a truly successful working relationship between states and the federal government—a program that has helped more than nine million individuals with disabilities, from all walks of life, to secure gainful employment.

Each year more than 200,000 people enter or return to the competitive labor market or become self-employed—becoming fully contributing taxpaying members of our national

community. You are filling a need that needs to be filled. A poll taken last year revealed that 68 percent of people of working age with disabilities are not working and need services to help them get to the next level.

It is a unique program—and one which works.

As a former governor, I understand the concerns of those seeking to limit federal involvement in some areas of our lives. I certainly am all for lowering the federal bureaucracy when it can be accomplished without loss of important services. In fact, at the Department of Education, we have proposed the elimination of 59 education programs and the consolidation of 27 others.

But I also know the cutting for the sake of cutting is not necessarily a positive thing. And the elimination of a federal role when it is necessary and legitimate is bad public policy.

There are certain important responsibilities that we must uphold at the national level in order to ensure continued high quality programs like vocational rehabilitation that are, in effect, run by the states.

We certainly do not want to micro-manage your rehabilitation programs. But we can help to facilitate these important programs and provide the financial support that will keep your vocational rehabilitation programs running effectively.

I am so pleased that in my own home state of South Carolina, I was able to play a role in the development of a strong network of facilities that provide services to mentally and physically disabled people across the state. The program is still growing and helping people from all over the state become contributing members of the economy.

I am pleased to see Charles La Rosa, the South Carolina State Director here today. Charles has continued to provide the leadership that makes this program the success that it is. All across the state, new training centers—which, as you all know, are one of the essential pieces of successful vocational rehabilitation—have been opened, some even rising out of the vacant buildings left by closed car dealerships.

Today, this network—which now has 22 facilities—can boast that no one who wants to participate in the program will have to go farther than 50 miles to get to one of these centers.

And I know that South Carolina is not alone in this success. I can cite success stories of individuals across the nation who were completely dependent upon others for support and who are now, because they have gotten the proper vocational training, entering the world of independent work and living.

Fully three-fourths of the people who have received rehabilitation training throughout the nation as the result of this program, and who are now gainfully employed, report that their own earned income is their primary source of support. This is extraordinary and speaks volumes to those who might characterize this program as just another government handout.

As most people agree—and as we certainly are hearing in the current debate over welfare reform—people do not prefer to be supported by others, whether by government entitlement or family. Most people want, more than anything, to work and be contributing members of society. This program gives millions of individuals that chance.

COMPREHENSIVE APPROACH TO JOB TRAINING

Of course, as you all know, vocational rehabilitation is more than just a job referral or search program. It is more than simple employment training. And this is a crucial distinction.

Because, while many individuals need little more than job training and a helpful

boost into the job market . . . a large majority need more assistance, guidance, encouragement and specialized services before they can become independent.

At its core, the vocational rehabilitation program offers a consistent, supportive, individualized, comprehensive treatment that helps to create a productive relationship or partnership between specially trained counselors and teachers, and individuals with disabilities.

At its best, it offers “one-stop shopping”—a means for disabled individuals to get into, or return to, common activity and increased productivity.

75 YEARS OF SUCCESS

Happily, Congress has long understood the value and importance of vocational rehabilitation. Since its creation 75 years ago, this program has been continually reauthorized and expanded with bipartisan support. It has included special features that do not exist in regular job training programs. And it has created additional safeguards and encouragement to coordinate among different agencies so that individuals in need of services may be served efficiently and without delay.

As we all know, these are uncertain times which require stern budgetary measures. But these times also require thoughtfulness and consideration. This is not the time for arbitrary and shortsighted action.

Certainly, there are proposals floating around Capitol Hill these days which arouse my concern in this regard. I am worried that in the budget-cutting, big government-shrinking zeal of these times, some very valuable programs—including vocational rehabilitation—could be harmed.

While I strongly share the sentiments of some of these reformers to improve accountability and provide greater services for more people who need them. . . I do not, as I said earlier, believe in wholesale cutting or consolidating without careful thought and clear justification.

The inclusion of vocational rehabilitation in a broad-based consolidation of job-training programs could have a lasting negative impact on this program, and more importantly, could harm the very people it is intended to help.

The vocational rehabilitation program is the only job training program that includes an eligibility criterion of physical or mental disability. Adequately meeting the needs requires well-trained staff capable of offering a wide array of specialized services. Consolidation with other job training programs could well endanger this vital specialized capacity.

Moreover, coordination between this program and other job training programs does not necessarily require a merging of these programs. States are already afforded great latitude and flexibility in a number of areas. Members of my staff have recently met with some of you who have developed statewide “one-stop shopping” programs that encourage coordination between employment training and vocational rehabilitation programs.

So I hope you understand that our commitment to this program remains as strong as ever. We will, of course, continue our work to improve the program, and continue to help states in their efforts to educate employers about disabilities.

Now I may be preaching to the choir today, But I cannot say how strongly I feel about helping those who can become independent, contributing members of our society to do so. And, if we can break down a few barriers and overcome some prejudices at the same time—so much the better.

When I was Governor of South Carolina, it was one of my greatest pleasures to work, along with my wife Tunky (who was also very active in this area) to expand opportunities in employment and rehabilitation.

I was so pleased recently to learn that in South Carolina, even with a relatively high unemployment rate, individuals who have been trained in the State vocational rehabilitation centers are among the most desired employees. They understand the value of work and supervision, know how to work with their peers and colleagues, and know the value of production.

And ultimately, we can't ask for anything more.

Anthropologist Margaret Meade, wrote, “If we are to achieve a richer culture. . . we must weave one in which each diverse human gift will find a fitting place.” I believe that working together, we can achieve the rich diverse culture that is the ultimate goal of the American experience.

This is the promise of America, the promise of education, and the promise of rehabilitation.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

SPEECH OF

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes:

Mr. BENTSEN. Mr. Chairman, with this legislation before us today we have been asked to make difficult choices. We have been asked to choose between funding for medical research and education, cancer research, and the right to choose. The committee has included regressive legislative language on choice, freedom of speech, and labor law, while decimating preschool, elementary, secondary, and post-secondary education. And that is what is wrong with the 1996 Labor/HHS/Education appropriations bill.

I applaud and support efforts by the committee to increase funding for the National Institutes of Health [NIH] by 6 percent. It is no secret that I have long advocated such funding levels, particularly in light of the fact that a majority of this same Congress voted to cut NIH in the fiscal year 1996 budget resolution which I opposed.

Biomedical research is an important, cost-effective investment in our Nation's health. Less funding for NIH would have dramatic effects on all Americans, including threatening the health of our citizens, reducing thousands of research projects, reducing potential cost savings from future treatments, and jeopardizing U.S. competitiveness in the biomedical industry.

Over 80 percent of NIH's budget goes to universities, institutes, and medical schools, and to their researchers who are on the verge of significant breakthroughs in treating diseases such as cancer, heart disease, Alzheimer's, and AIDS. These funds will continue research which could save millions of lives. I am proud to say that I have fought all efforts to cut NIH, including the levels contained in

this bill. I strenuously opposed the Blute amendment which would have cut NIH by \$235 million.

I am also pleased that this House voted to restore funding for family planning programs. For over 25 years, title X funding has served as a cost effective and vital source of essential health care and family planning services for low-income women. At a time when we are working to reduce unintended pregnancy in America, we should be making birth control more accessible, not less. In addition, we should not penalize community health centers that help these women combat low-birth weights and inadequate nutrition. The reality is that this cut was aimed directly at Planned Parenthood, which the radical right has targeted.

I also approve of increases in breast and cervical cancer screening programs under the Centers for Disease Control, the Jobs Corps, special education programs and vocational rehabilitation services. In fact, I am an original cosponsor of legislation to meet this goal.

However, this legislation contains too many provisions which I believe are terribly misguided and completely unacceptable. For example, the summer jobs program, which provides 6,000 Houston area youngsters with jobs this past summer is eliminated under the Republican proposal. Texas will lose \$66 million in funds for this program next year, and as a result, thousands more young people will be on the streets next summer. More importantly, these teens will lose an opportunity to receive valuable on-the-job training. Texas will also lose 22 percent in vital funds for school-to-work programs to help provide the transition from high school to high wage, highly skilled jobs. This program, which many community colleges in the 25th district utilize, helps train an able work force for the future.

Other programs slated for severe cuts include adult and youth job training programs which are cut 20 percent and the dislocated workers assistance programs which are cut by 30 percent. Any American who loses their job can expect to receive 30 percent less assistance than they may have otherwise anticipated. In southeast Texas, thousands of people in the oil and gas industry have lost their jobs and rely on this safety net to help them back on their feet.

The National Labor Relations Board and the Occupational Safety and Health Administration are significantly cut that they will face serious difficulties in protecting American workers. For example, the National Institutes of Occupational and Safety Health is cut by \$32 million—this cut eliminates all training assistance, including safety training for hundreds of nurses and doctors at the University of Texas Health Sciences Center at Texas Medical Center in the 25th district.

The bill would repeal the Executive order banning the permanent replacement of striking workers. Under this provision, workers would lose a fundamental right to collective bargaining. Additionally, the legislation would alter the functions of the NLRB heretofore without precedent by requiring unanimous decisions. The cumulative effect of these initiatives is to deny American workers with equal rights under job security and safety laws.

I am deeply opposed to one provision which is part of a stealth campaign to take away a woman's right to choose. While this bill allows the use of State Medicaid funds for an abor-

tion when the life of the mother is at risk, it prohibits the use of such funds to pay for an abortion for women who are victims of rape and incest.

I am also opposed to a provision in the bill which allows institutions to bypass the accreditation process if the standards include training in abortion procedures. The Accreditation Council for Graduate Medical Education [ACGME] is a private medical accreditation body responsible for establishing medical standards for more than 7,400 residency programs in this Nation. Under ACGME requirements, no institution or individual is required to participate in abortion training. Any program or resident with a moral or religious objection is exempted.

Congress has never before sought to override private education standards, let alone standards for training in medicine. Those who would take away a woman's right to choose have now turned their assault on both medical schools and doctors.

Some of the most egregious cuts in this bill, however, come in the area of education. Even Republicans would agree that education is the key to opportunity and success in our growing world economy. This bill cuts education programs in the billions of dollars. That is wrong.

In addition to cutting Head Start for our Nation's youngest children by \$3.4 billion, this bill dramatically reduces funding for elementary, secondary, and post-secondary education. Title I compensatory education grants in the bill are cut 17 percent by \$1.2 billion. Harris and Fort Bend counties, which I represent, would lose close to \$15 million in funding to help children improve their reading and math skills, especially in disadvantaged communities.

The bill also proposes the elimination of Goals 2000, which is a voluntary program to help students improve their academic performance. Goals 2000 provides school districts with funds to bring technology like computers to the classroom, to increase teacher training, and to encourage parents to be actively involved in their children's education. Only yesterday, Texas received over \$29 million in Goals 2000 grants to assist in the implementation of our State's education reform initiative which passed the State legislature earlier this year. Without this funding, we will lose an opportunity to build on the progress we have already made in Texas.

For college students, the Republicans have cut student loans and aid by \$9.5 billion. They have eliminated the in-school interest subsidy for Perkins loans, which help millions of Americans attend college. On average, a Texas college student can expect to pay \$5,000 more for college—and they'll start paying before they have even attended a class or moved into their dorm room. At Rice University, which is located in my district, 82 percent of all undergraduates receive student aid—that's 2,170 students who will most likely have to pay more for their education.

One other irresponsible provision in this bill prohibits any recipient of a Federal grant from spending grant funds on political advocacy. This provision is not about lobbying Congress as the Republicans would have us believe, it is about giving nonprofit organizations and individuals the right to express their opinions. This would gag such institutions as AARP, the Red Cross, and the Presbyterian Church, of which I am a member. At the same time, any

Government contractor would still be free to subsidize their lobbying activities with Federal funds. This provision is a threat to free speech.

In the final analysis, while this bill would sufficiently fund programs which are of great national importance, in particular, the national Institutes of Health, when weighed against all of the egregious provisions affecting education, job training, choice, student loans, and free speech, I cannot support it as currently drafted. I urge its defeat while looking forward to preserving what is right about this bill and correcting what is wrong. That is our charge.

DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES,
AND EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 1996

SPEECH OF

HON. ENID G. WALDHOLTZ

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes:

Mrs. WALDHOLTZ. Mr. Chairman, I am voting against the Kolbe-Lowey-Morella amendment to strike language in the Labor-HHS-Education appropriations bill allowing States to eliminate Medicaid funding for abortions for rape and incest because I believe that decisions on the use of State funds should be left to State governments.

However, I also firmly believe that women who are faced with deciding whether to end a pregnancy that is the product of rape or incest should not be forced to base their decision on their ability to pay.

Accordingly, while I respect and acknowledge the right of States to determine how to spend their funds, without Federal mandates, I strongly urge the State of Utah and other States to provide funding for abortions for victims of rape and incest who cannot afford to pay for themselves.

DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES,
AND EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 1996

SPEECH OF

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes:

Mr. FAZIO of California. Mr. Chairman, I rise in support of the amendment offered by the

gentle lady from Hawaii, Congresswoman MINK, which would strike the provision of this bill prohibiting enforcement of title IX requirements with respect to gender equity in intercollegiate athletic programs.

Enforcement of title IX—with respect to athletics—ensures that our sons and daughters have an equal chance to take part in sports while they are in school. It is that simple. This enforcement takes into consideration the fact that different sports have unique differences that are justifiable—that some aspects of athletics programs do not have to be the same for men and women. The key is that the needs of male and female athletes are being met equally.

But the language in this bill would halt title IX enforcement. The net effect would be that intercollegiate athletic opportunities for female students—hampered as they already are—would be limited even more.

I know that today, nearly three decades after my own college athletic experiences, all of my daughters—each one of them a better athlete than her father—have been denied the access that I had to college sports. Women in college today still do not have the access and opportunity that men do. But title IX enforcement ensures that young women like my daughters would not be denied the same opportunity as their male counterparts to compete in college athletics.

All of our children should have an equal opportunity to participate in intercollegiate sports. I therefore urge my colleagues to support Congresswoman MINK's amendment, which would ensure that we continue to work toward guaranteeing that our sons and our daughters have their athletic interests and abilities encouraged and supported.

DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES,
AND EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 1996

SPEECH OF

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes:

Mr. PALLONE. Mr. Chairman, I rise in support of the Bateman Saxton Edwards amendment to restore \$22 million to the Impact Aid Program. This program, which suffered a 15 percent cut in funding in fiscal year 1995 is scheduled for another \$83 million in cuts this year. Together these figures translate to a drastic 2-year reduction of 26 percent for Federal impact aid.

The reason why this reduction is particularly drastic is quite simple. Impact aid is a program that provides for the education of the children of our military personnel and children on Indian reserves. Education programs run on federally owned property are, due to a lack of funds caused by an inability to collect State or

local taxes, highly dependent on Federal funding. Without that assistance, the quality of education available for these children is certain to deteriorate.

I ask you, Mr. Chairman, do you think it is fair some children in our country should be offered a lower standard of educational training just because they happen to live on federal land? It seems clear to me that as it is the Federal Government who owns the land on which these children live, the Federal Government should be obligated, just as State and local municipalities are, to provide adequate educational services for children.

Mr. Chairman, what would you suggest I tell the military children of the Earle Naval Weapons Station in Tinton Falls and Fort Monmouth in Eatontown when I go back to New Jersey and they wonder why the resources for their education have been reduced? Indeed, how do I explain to their parents that their child's school day may have to be reduced because the government, though able to pay them to fight for their country, does not have enough money to educate their children? These are questions, Mr. Chairman, that they should not have to ask and I should not have to answer.

While I support efforts to balance the Federal budget, I believe attempting to do so by gutting valuable education programs like impact aid is unequivocally a step in the wrong direction. With the Department of Education projecting that 89 percent of the jobs being created in the United States will require post-secondary training, it is clear that cutting education programs jeopardize the well-being of our children and, ultimately, the economic growth of our Nation.

We must not allow the Federal Government to shirk its responsibilities to itself, and to our children. I urge my colleagues to act responsibly and vote "yes" on this amendment.

DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES,
AND EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 1996

SPEECH OF

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes:

Mr. SERRANO. Mr. Chairman, the committee's draconian cuts to education programs represent a fundamental shift in our Nation's priorities. Less than 1 year after the passage of Goals 2000, President Clinton's ambitious plan to prepare our children for the 21st century, the Republican majority stands poised to initiate a massive rollback in funds for programs which benefit our most precious resource—our children. There can be no higher priority than their education and training for the future.

The more than \$1 billion cut in title I, the program which serves our poorest children,

the 59 percent cut to safe and drug-free schools, and the 75 percent cut to bilingual education, when combined with cuts at the State and local levels, will have disastrous consequences for our Nation's already overburdened and understaffed school systems.

In New York City, these cuts will result in nearly 42,000 fewer children receiving title I services, 9,000 fewer students in bilingual education programs, and the loss of nearly 3,000 teachers.

Other Members have spoken eloquently about the cuts to education programs. I would like to speak for a moment about the cuts to bilingual education programs. I find these cuts particularly troubling because the need for the services those programs provide is ever-increasing. The number of limited English proficient children is expected to increase to nearly 3.5 million by the year 2000. Studies have shown that language-minority students take several years to fully master academic English. Bilingual education allows these children to keep up with their peers in math and science courses, while simultaneously mastering the English language. These programs have been proven effective at reducing dropout rates, which for Hispanic children are more than 50 percent.

This bill eliminates funds for nearly 200 programs, including literacy training, student aid, and graduate fellowships. We cannot hope to remain competitive in the global marketplace if we do not provide for the education and training of all of our citizens, not just those who can pay their own way.

This shift in our priorities is unacceptable. I do not believe that the way to solve our fiscal problems is to shortchange our citizens and mortgage our children's future. I strongly urge the defeat of this bill.

DEPARTMENT OF LABOR, HEALTH
AND HUMAN SERVICES, AND
EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 1996

SPEECH OF

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes:

Ms. BROWN of Florida. Mr. Chairman, I stand in strong support of Ms. Lowey's amendment. Medicaid funds must pay for abortion in the case of rape or incest. Surely, our society is not so mean and brutal that it would force poor women to give birth against their will—especially in the case of rape or incest. Abortion is not a crime in this country. The law is clear on this matter. But you would not know this by the extremist, radical, right-wing proposals being attached to appropriations bills. Unfortunately, the radical religious right has driven terror in the hearts of this country over the issue of abortion.

Poor women, like all women, have a right to decide whether or not to terminate a pregnancy—certainly in the case of rape or incest.

Let's not turn the clock backward. Support the Lowey amendment.

DEPARTMENT OF LABOR, HEALTH
AND HUMAN SERVICES, AND
EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 1996

SPEECH OF

HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes:

Mr. STUMP. Mr. Chairman, I want to thank Mr. ISTOOK and Mr. MCINTOSH for the cooperation and assistance they have given the Veterans' Affairs Committee on the portion of the bill which would prohibit the use of Federal grants for political advocacy.

Veterans service organizations have raised concerns about this part of H.R. 2127.

They believe it could be interpreted to apply to space and office facilities which the Department of Veterans Affairs [VA] is authorized by law in title 38 to furnish to veterans groups.

These groups use the VA space and office facilities to provide individual veterans free representation on their disability compensation claims.

This is an important public service having nothing to do with political advocacy or Federal grants.

I have worked closely with Mr. ISTOOK and Mr. MCINTOSH to assure the veterans service organizations that there is absolutely no intent to include space and office facilities authorized under title 38.

Mr. ISTOOK and Mr. MCINTOSH have further assured the veterans service organizations and me that they will either amend the bill or work in conference for more specific language.

Then there will be no question whatsoever that veterans can continue to receive free assistance from veterans service organizations on claims related to their military service.

The bill also has an express exclusion covering the Pro Bono Representation Program of the Court of Veterans Appeals.

This program enables individual veterans to obtain legal representation on their claims which have been appealed to that court.

This program does involve a small amount of Federal grant money, but is not funding political advocacy, and the bill exclusion was drafted accordingly.

DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES,
AND EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 1996

SPEECH OF

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes:

Mr. BEREUTER. Mr. Chairman, this Member rises today in support of the Federal Office of Rural Health Policy. Unfortunately, H.R. 2127 eliminates funding for this office.

Rural areas have vastly different health care needs than other parts of the country. The Office of Rural Health Policy provides many forms of assistance to rural communities and health care providers. For example, it directly assists rural communities through the provision of telemedicine grants and rural outreach grants. The telemedicine grants administered by the Office of Rural Health Policy make it possible for rural providers to initiate telemedicine systems now rather than wait for urban-based systems to eventually extend such services later. It also administers the important rural health outreach grant program. These grants are perhaps the most effective of any rural health grants because they require organizations within rural areas to work together to improve and strengthen the provision of health care.

The Office of Rural Health Policy also produces important annual reports through the National Advisory Committee on Rural Health. The most recent report focused on the impact of Medicare reimbursement policies on rural health providers.

Finally, the Office of Rural Health Policy supports research centers that address rural health policy problems. This research assists rural providers and policy makers on a local, State and Federal level in determining the best course of action to take to ensure that rural communities have adequate health care available.

Mr. Chairman, the Office of Rural Health Policy is not an unnecessary bureaucracy, but an important organization that works to improve available health care in rural areas. This Member urges his colleagues to support the continuation of this office in conference.

DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES,
AND EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 1996

SPEECH OF

HON. LAMAR S. SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1995

The House in Committee of the Whole House on the State of the Union had under

consideration the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes:

Mr. SMITH of Texas. Mr. Chairman, as a member of the Budget Committee that produced the first balanced budget in 25 years, I rise in strong support of the Labor/HHS appropriations bill. This bill provides Federal support for such important activities as biomedical research, Head Start, and special and higher education.

In other areas, this appropriations bill returns power, money, and control where it belongs: to our families for decisions around the kitchen table, to our neighborhoods, and to our State and local governments. Rather than education Presidents, this bill creates education classrooms and empowers education parents across America.

Some of the same people who opposed our balanced budget and have opposed every attempt to control the Federal deficit have resorted to demagoguery to attack this appropriations bill. With no positive plan of their own, they try to scare students and the parents of students about education spending.

Don't believe these purveyors of doubt, doom, and deficits. The question is not whether or how much we'll spend on education. The difference between our balanced budget that this appropriations bill is an essential part of, and the Clinton bogus budget, is who will do the spending.

The Clinton bogus budget assumes that Government knows what's best for your children. It provides for a big bureaucratic Department of Education and tells parents what your children should learn.

The American people know better. And this Congress was elected to be different. Support our education parents. Return power to our families and local communities. Vote in favor of the Labor/HHS appropriations bill, an essential building block of our balanced budget.

DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES,
AND EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 1996

SPEECH OF

HON. ELIZABETH FURSE

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1996, and for other purposes:

Ms. FURSE. Mr. Chairman it is cruel and callous to restrict Medicaid funding of abortions for rape and incest victims. When the Medicaid statute was written, Congress made clear its intention that it should cover all medically necessary services. I can hardly imagine a service more necessary than an abortion for a rape or incest survivor.

Rape is a crime—punished the victims of the crime.

It is estimated that between 15 and 40 percent of women are victims of rape or attempted rape during their lifetime. Policies that force rape and incest survivors to continue a resulting pregnancy will cause additional suffering for women who much already overcome poverty and sexual violence.

By an overwhelming margin of 84 percent, the public supports Government funding for abortion in cases of rape, according to a Time/CNN poll.

This bill also nullifies the requirement that medical residency programs must provide training in abortion techniques unless the individual or institution has a moral objection to it. And, it bans Federal funds from being used for embryo research which leading scientists and endocrinologists tell us may hold the key to curing such diseases as diabetes and Alzheimers.

Mr. Chairman, this Congress is out of step on issues of women's reproductive health care. I urge my colleagues to stand up for women and vote against this very bad bill.

Support Kolbe-Loweay admendment.

DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES,
AND EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 1996

SPEECH OF

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes:

Mrs. JOHNSON of Connecticut. Mr. Chairman, we are all interested in lowering our national debt and eliminating the Nation's deficit. Appropriations Committee members and staff have worked hard on this legislation and I thank them for their effort. Achieving the goal of balancing the budget will mean we must make tough choices in the weeks, months, and years ahead.

There are provisions in this bill that I do not like. In education, it is shortsighted to cut 55 percent of the funding from the Safe and Drug-Free Schools and Communities Pro-

gram, Title I, and bilingual education. I oppose eliminating the LIHEAP Program, and strongly oppose the reduction in job training at this time of dramatic and rapid changes in policies. There are cuts in the Older Americans Act that I believe are equally unwise and harmful, and finally provisions that belong in authorizing legislation, where issues can be considered in hearings and Members can have ample time to review information and have consistent discussions before voting on changes in policy.

At this time, my anguish over the terrible consequences of \$200 billion deficits on average for the next 10 years overrides my concern that certain programs have been cut too drastically in this bill. To balance our revenues and obligations by 2002 or shortly thereafter, cuts in every sector of Federal spending will have to be made, but pace, balance, and fairness are necessary.

As you all well know, the Federal budget process is terribly cumbersome and this legislation has a long way to go in the legislative process. As it moves through the Senate and Conference Committee, I am confident that many of the bill's shortcomings will be addressed and I look forward to supporting the conference report next month. In regard to compensation for essential cuts, our children will inherit a diminished national debt and a fiscally strong nation, capable of funding strong essential services and creating good paying jobs.