LATOURETTE), the gentlewoman from Maryland (Mrs. MORELLA), and others who have understood the leadership that has been shown in this by not issuing a franchise to one single producer of a product that destroys needles, but rather, to acknowledge that every hospital and health care facility should select those products that are best for them, to have a clear and direct policy to minimize and we hope eliminate needle stick injuries and the transfer of possible dangerous germs and disease in their facility.

The leadership the gentleman from North Carolina (Mr. BALLENGER) has shown Americans and assured health care workers that the hospitals and medical workplaces of America will be safer. It has also ensured that incentive remains for the private sector to produce new and modern products that are safer and more efficient than those in the past, so hospitals can develop the very best possible policy to meet OSHA's, what I would add, very thoughtful rule in terms of developing these plans for every hospital in America.

Mr. GILMAN. Madam Speaker, I rise today in support of H.R. 5178, the Needlestick Safety and Prevention Act. I applaud my colleague from North Carolina, Mr. BALLENGER for his leadership on this issue and as a cosponsor of this legislation, I urge my colleagues to support this much needed bill.

H.R. 5178 directs employers to consider, and where appropriate, use such safer medical devices to reduce the risk of needlesticks and other injuries from sharps. Employers with employees who may be exposed to bloodborne pathogens are required to use safer medical devices only where such devices are appropriate, effective and commercially available. I have met with various nurses' groups over the years who have been pushing for the use of safer needles in hospitals and doctors' officers throughout the country. Although these safe needles tend to cost more than the average needle that is currently used, the safe needles protect health care professionals by featuring one of a number of new innovations such as a retractable needle.

Moreover, H.R. 5178 calls for employers to maintain a sharps injury log to record sharps injuries and to call upon frontline health care workers who would actually use the devices in the selection of the devices. This will ensure that the people actually using the new needles will be comfortable with all aspects of the safe device.

Accordingly, I urge my colleagues to protect our Nation's health care professionals and support this legislation.

Mr. STARK. Madam Speaker, I am pleased to speak in support of H.R. 5178, The Needlestick Safety and Prevention Act and urge all of my colleagues to join me in voting to protect nurses, doctors, and other health care workers from accidental needlestick injuries in the workplace.

This legislation is long overdue. Health care workers across our country are put in danger each and every day because safe needle technologies that exist and are proven to reduce the risk of workplace needlestick injuries are still not widely used in our nation's health facilities.

Through accidental needlesticks, health care workers are exposed to the spread of deadly bloodborne diseases such as AIDS and Hepatitis B and C. Estimates are that some 600,000 to one million needlesticks occur each year. While the vast majority of those injuries do not result in the spread of a bloodborne pathogen, those that do can prove debilitating and even fatal. Health care workers simply should not be forced to risk their lives while trying to save ours.

Enactment of H.R. 5178 will dramatically lower the occurrence of accidental needlestick injuries by requiring the use of safer needle technology in our nation's health care system. This bill, like the legislation I co-authored with Representative ROUKEMA (H.R. 1899), will dramatically improve needlestick protections for health care workers by: clarifying the bloodborne pathogens requirements regarding the use of safer needle devices, improving existing reporting requirements, and ensuring that health care workers are involved in the selection of appropriate safety devices.

I have been working on this issue for many years. My first bill to protect health care workers from preventable needlestick injuries was introduced in 1993. In the last Congress, similar legislation gained the support of more than 100 of my colleagues. H.R. 1899, which Representative ROUKEMA and I introduced together in this Congress, now has the bipartisan support of more than 185 of our colleagues.

States have also begun focussing attention on this important issue. My home state of California was the first state to pass comprehensive legislation requiring the use of safe needle devices in 1998. Since then, more than a dozen states have followed course and passed legislation protecting health care workers their own borders.

But, this is a national problem that deserves a national solution. That is why I am so pleased to join Representative BALLENGER and Representative OWENS in support of H.R. 5178 on the House floor today. I would also like to congratulate both of them for stepping into leadership roles on this vitally important safety issue for health care workers across the country.

While I fully support the bill before us today, our work to protect health care workers from these injuries will not be complete even with passage of this important legislation. We need to go further. OSHA applies mainly to the private sector and therefore H.R. 5178 leaves health care workers in public hospitals in approximately 27 states without the same protections. We need to extend equivalent protections to these workers and I pledge to work with my colleagues to achieve this goal as well.

Passage of H.R. 5178 will take us a long way toward minimizing the danger of needlestick injuries and potential infection by deadly diseases for the millions of health care workers across our country. Put simply, a yes vote for H.R. 5178 will save lives. I urge all of my colleagues to join me in voting yes.

Mr. KUCINICH. Madam Speaker, I rise in strong support for H.R. 5178, the Needlestick Safety and Prevention Act. There are an estimated 600,000 to 800,000 needlestick injuries each year. Over 80 percent of these injuries could have easily been prevented with the use of safer needle devices. Hospital nurses are the most frequently injured, followed by physicians, nursing assistants and housekeepers.

A resident of Cleveland, Ohio, Mr. Stanley McKee, testified before the Ohio Senate regarding his needlestick injury. Mr. McKee works at a hospital in the environmental services department. He was disposing of the trash from the intensive care unit when he felt an object stick him in the leg. When he checked the bag he saw the used needle protruding out. For months, Mr. McKee was forced to undergo a series of shots until it could be determined whether he had indeed contracted an illness. The costly medical care he required and the severe mental anguish he experienced while awaiting news of his test results could have easily been prevented with safety devices as required in The Health Care Worker Needlestick Prevention Act, H.R. 5178. The average cost to test and treat a worker following an accidental stick where an infection does not occur is about $500. The costs to treat an employee who is infected from an accidental stick can total up to one million dollars over a person's life. However, these injuries can be prevented with safer needles that cost less than a postage stamp.

This bill will save lives by drastically reducing the threat of contracting infectious diseases including hepatitis and the HIV virus through accidental needlesticks. Healthcare professionals dedicate their lives to caring for others. Let us show our appreciation and respect by working to pass this important legislation to ensure the safety of members of the healthcare community.

I would like to thank Chairman BALLENGER for leading the Subcommittee on Workplace Protections of the Committee on Education and the Workforce to report H.R. 5178 to the whole House of Representatives. I would also like to praise Rep. FORTNEY PETE STARK, whose many yeas of advocacy for needlestick safety laid the groundwork for today's bill. I urge a YES vote.

Mr. BALLENGER. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. MORELLA). The question is on the motion offered by the gentleman from North Carolina (Mr. BALLENGER) that the House suspend the rules and pass the bill, H.R. 5178, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CUSTOMIZED TRAINING FLEXIBILITY ACT

Mr. MCKEON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4216) to amend the Workforce Investment Act of 1998 to authorize reimbursement to employers for portable skills training, as amended.

The Clerk read as follows:

H.R. 4216

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Customized Training Flexibility Act''.

SEC. 2. FLEXIBILITY IN CUSTOMIZED TRAINING REQUIREMENT UNDER THE WORKFORCE INVESTMENT ACT OF 1998.

Section 101(8) of the Workforce Investment Act of 1998 (29 U.S.C. 2801(8)) is amended—

(1) in subparagraph (A), by striking ''(including a group of employers)'' and inserting ''or a group of employers within the same industry'';

(2) in subparagraph (B), by striking ''the employer'' and inserting ''any such employer''; and

(3) in subparagraph (C), by striking ''for not less than 50 percent'' and inserting ''a portion''.

SEC. 3. OTHER AMENDMENTS TO THE WORKFORCE INVESTMENT ACT OF 1998.

(a) DEFINITION OF ELIGIBLE YOUTH.—Section 101(13)(B) of the Workforce Investment Act of 1998 (29 U.S.C. 2801(13)(B)) is amended to read as follows:

''(B)(i) is a low-income individual; or

''(ii) has been determined to meet the eligibility requirements for free meals under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et. seq.) during the most recent school year; and''.

(b) USE OF FUNDS FOR ADULT AND DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES.—Section 134(d)(4) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(d)(4)) is amended by adding at the end the following:

''(H) COORDINATION WITH UNEMPLOYMENT COMPENSATION.—An eligible adult or dislocated worker participating in training (except for on-the-job training) shall be deemed to be in training with the approval of the State agency in the same manner as provided under section 314(f)(2) of the Job Training Partnership Act (29 U.S.C. 1661c(f)(2)) (as such section was in effect on the day before the date of the enactment of this Act).''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCKEON) and the gentleman from New Jersey (Mr. ANDREWS) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. MCKEON).

GENERAL LEAVE

Mr. MCKEON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4216.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MCKEON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 4216, to increase the flexibility of customized training programs available under the Workforce Investment Act.

First, I want to commend the gentleman from California (Mr. RADANOVICH) for his leadership in pushing this important legislation forward. The economy is in good shape nationally, but that prosperity has not been felt in all of our districts.

For example, unemployment stands at 15 percent in the district of the gentleman from California (Mr. RADANOVICH), and he is doing something with this legislation to help solve that problem for his constituents.

Two years ago we were successful in enacting the law, the Workforce Investment Act. In addition to streamlining multiple Federal job training programs and empowering individuals to choose their own training, this act increased the role of employers to ensure that the training provided under these programs is relevant to job opportunities in their areas.

The ability for local programs to provide customized training is just one example of how training can be guaranteed to meet the needs of local employers. This type of training has three basic characteristics:

First, it is designed to meet the special requirements of an employer or group of employers.

Second, it is provided with a commitment by the employer to hire the participant upon successful completion of training.

Third, it provides employers with a reimbursement to offset a portion of the costs associated with the training.

Under the Workforce Investment Act, we limited this reimbursement to just 50 percent. However, we have since learned that many employers are hesitant to participate in these programs because of this cap.

This legislation before us today lifts this cap and allows local programs to negotiate a reasonable reimbursement for the training provided by employers. However, it maintains the requirement that at least a portion of the cost continue to be covered by the employer.

The benefits of these programs are numerous. Not only do they provide employers with skilled workers, they also enhance the employability of the training participants, who come into these programs because they are unemployed or on welfare or underemployed.

At a time when we are considering expanding the number of foreign workers into this Nation in order to fill high-paying high-skilled jobs, we must work to promote efforts such as customized training. By providing more local flexibility in carrying out such training, this legislation accomplishes that goal.

In addition to changes made to customized training, this legislation makes two additional technical corrections to the Workforce Investment Act.

The first allows youth seeking to participate in training programs to satisfy the low-income criteria by providing proof that they are eligible for free meals under the National School Lunch Act. This change relieves local programs of the burden of collecting additional income information from these youth.

In addition, this legislation maintains a provision from the prior Job Training Partnership Act which inadvertently dropped during the consideration of the Workforce Investment Act. This provision simply ensures the continued coordination of job training provided under the Workforce Investment Act with the unemployment compensation system.

Finally, I urge all Members to support the passage of this legislation.

Madam Speaker, I yield such time as he may consume to the gentleman from California (Mr. RADANOVICH), the author of the bill.

Mr. RADANOVICH. Madam Speaker, I want to thank the gentleman from Pennsylvania, chairman of the Committee on Education and the Workforce, and my colleague, the gentleman from California (Mr. MCKEON), for his assistance in bringing H.R. 4216 to the floor.

Madam Speaker, I represent the 19th District of California. This region has an agricultural-based economy which brings with it high unemployment rates and an unskilled labor force.

While the nationwide job market is the strongest it has been in decades, my district struggles with an unemployment rate that averages from between 12 to 17 percent. I know of small pockets in my district whose unemployment rates have recently been as high as 44 percent.

To compound this problem, labor demands are difficult to meet since potential workers in our region have few if any labor skills. With such drastic conditions, we need our local businesses to have the incentive to train and hire people.

There used to be programs in my district through which employers would train unskilled laborers and then hire them. This training comes at a cost that local work force development boards used to cover under the Job Training Partnership Act. However, the Workforce Investment Act now only allows a maximum reimbursement of 50 percent through what is known as the customized training program.

Employers in my district cannot afford to train unskilled workers if they can only recover up to 50 percent of their costs. If we do not change this law, these valuable programs will cease to exist, both in my district and in areas throughout the country.

H.R. 4216 changes the Workforce Investment Act so that it does not limit reimbursement of customized training to only 50 percent. My bill allows the local work force development board to determine the appropriate amount that an employer should contribute to customized training on a case-by-case basis.

This change will salvage a form of job training that has been highly effective in adding to the labor force, ending government dependence, and strengthening our economy.

Madam Speaker, I encourage my colleagues to support H.R. 4216. It is good for business, it is good for the noticed, and it is good for the economy.

Mr. ANDREWS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, first of all, I want to congratulate the gentleman from California (Mr. RADANOVICH) for his attention to this issue. Members of Congress very often self-limit themselves according to what committees they

serve on. The gentleman from California (Mr. RADANOVICH) is not a member of our committee, but he took an interest in this issue and is addressing a series of problems that I think need to be addressed, and we thank him for that.

We thank the gentleman from California (Mr. MCKEON) for his interest in bringing the legislation to this point, and we obviously thank the gentleman from Pennsylvania (Chairman GOODLING) and the ranking member, the gentleman from Missouri (Mr. CLAY) on our side.

We are concerned about dealing with the problems of a couple of people that would be relevant to this legislation. Then, frankly, we have some concerns about what is in the legislation. I want to note each of those three points for the RECORD.

First of all, we commend the fact that this legislation will help the young person who is in school, who wants to get job training while he or she is in school so they can take the first step up that career ladder.

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Right now the process of qualifying for that job training requires that the individual prove his or her income. That can be a burdensome, time-consuming, bureaucratic process.

What this bill says is that, if the young person in question is eligible for a free school lunch, they should automatically be eligible for the job training. That makes sense, because it says that, once one filled out one set of forms with one's income tax return or one's parents' income tax return, and once one has gone through one bureaucratic thicket to qualify for a school lunch, since the criteria are substantially identical to qualify for the job training, one ought to be able to do it anyway. That makes perfect sense. The Department of Labor supports that, and so do we. We are glad that it is in the legislation.

The second issue is to understand the person who has been caught in the switches of this changing economy. It is indisputably true that, if one is a network analyst or a software engineer, these are great times to be coming out in the job market. People are getting signing bonuses and getting recruited by firms, and they are doing very, very well.

It is not such a great time if one is working at a steel mill or manufacturing plant or a coal mine or in other manufacturing segments of our economy. In many areas of the country, in many industries, those industries have been shrinking. Many people find themselves in the middle of their lives, in the middle of their careers, in the middle of their mortgages, in the middle of raising their children without a secure source of income, without a job.

These are people who most need the skills to make the jump from the old economy to the new one, who most need the skills to upgrade themselves within the old economy so they can be part of that shrunken workforce at a higher level of productivity and higher wages.

Very often that person's plan is to be on unemployment benefits for a while and then go to school at the same time, go to some kind of job training program at the same time, stretch their bills during the period of time they are on unemployment, get their training, and then get a new job that pays higher with health benefits, and get their family back on their feet. That is the way people do it.

An anomaly in the Workforce Investment Act of 1998 has made it difficult for people to do that because there is a question that gets raised as to whether or not that person can still receive his or her unemployment benefits while they are getting their job training. We think the answer ought to be yes; that if someone has a little bit of a supplemental income from their unemployment compensation and they are going to school and working very hard to upgrade their skills so they can move back into the workforce at a higher wage, that is what they are supposed to be doing. Those are the rules of the game.

It is very important that what this bill does is to clarify that that answer should, in most cases, be yes; that, in most cases, the participation of a worker in a Workforce Investment Act training program does not automatically disqualify him or her from receiving unemployment benefits from the State. There may be other factors that do, but the mere participation in this program does not disqualify someone for unemployment benefits.

What this really does is provide a lifeline of relief to someone at a very difficult time in his or her life and career. It is a very good idea. The Department of Labor supports it. We are glad it is in the bill, and we support it as well.

Let me raise one area of concern that we do carry forward as this bill is negotiated between the two Chambers and as it reaches the executive branch, and that is the question of the employer's responsibility to match or contribute to funds for job training that are provided by the Federal Government.

We certainly understand that there should be flexibility for employers, that employers that are modest in size and have very little cash in the bank ought not to be excluded from custom training because of that situation. Very often those are the employers that are producing most of the new jobs in the economy.

It is important to us, however, that we spread these job training dollars to as many people as possible. In other words, we believe that, if there is a choice between using 100 percent of the money to train three people or 100 percent of the money to train one person, we should always err on the side of training three people rather than one.

We do have some concerns about the way the bill is drafted at this point that we believe might permit an undue concentration of job training funds on one person and not require the level of employer contribution that ought to be contributed. The AFL/CIO, for example, has expressed this concern, and I would echo it, and I would urge the majority to work with us and with the Department of Labor and those in the other body who are interested to try to reconcile this difference as we go forward. But we shall, indeed, go forward.

I would commend both of my gentlemen from California, Mr. MCKEON and Mr. RADANOVICH. I guess the author of this bill is proving that we are putting new wine in new bottles, given his background as a vintner. I must say I speak as the brother-in-law of a fellow vintner, so I immediately appreciated the work of the gentleman from California (Mr. RADANOVICH). I salute the efforts of the gentleman from California (Mr. MCKEON).

So having duly noted the concerns of the overconcentration of resources on a few people, I would commend the positive aspects of this bill. I thank the Department of Labor for its input.

Madam Speaker, since I have no further speakers, I yield back the balance of my time.

Mr. MCHUGH. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. MORELLA). The question is on the motion offered by the gentleman from California (Mr. MCKEON) that the House suspend the rules and pass the bill, H.R. 4216, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read:

"A bill to amend the Workforce Investment Act of 1998 to expand the flexibility of customized training, and for other purposes.".

A motion to reconsider was laid on the table.

INDEPENDENT TELECOMMUNICATIONS CONSUMER ENHANCEMENT ACT OF 2000

Mrs. CUBIN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3850) to amend the Communications Act of 1934 to promote deployment of advanced services and foster the development of competition for the benefit of consumers in all regions of the Nation by relieving unnecessary burdens on the Nation's two percent local exchange telecommunications carriers, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3850

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Independent Telecommunications Consumer Enhancement Act of 2000".