

## EXTENSIONS OF REMARKS

INNOCENT LANDOWNER DEFENSE  
ACT

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 1993

Mr. WELDON. Mr. Speaker, I rise today to reintroduce the Innocent Landowner Defense Act, to clarify what is required by "all appropriate inquiry into the previous ownerships and uses of the property" as defined by the 1986 Superfund Amendments Reauthorization Act [SARA] to Superfund.

The 1986 SARA amendments included several exemptions for the liability of site clean-up—an important one being the innocent landowners defense provision. This provision allows for an exemption of liability to a landowner who has not contributed to the contamination of a site and has made all appropriate inquiry into the previous uses of the property.

The intent of the innocent landowner defense was to encourage the uncovering of contaminated sites which could then be cleaned up. It was meant as a narrow exception to protect those considering the acquisition of land from future liability. Unfortunately, the definition of all appropriate inquiry was never made clear in the SARA legislation, resulting in confusion as to the requirement for assessing a site for contamination. This lack of clarification has left the land purchaser with a dilemma. Even the most expensive and extensive site assessments may not prevent the landowner from later being held liable for contamination.

The Innocent Landowners Defense Act is designed to define what is meant by "all appropriate inquiry," putting an end to the confusion and allowing landowners to protect themselves from liability.

Specifically, this legislation calls for a phase I environmental audit—an investigation of the property conducted by an environmental professional—defined in the legislation—to discover the presence of hazardous substances through the following sources:

First, chain of title documents for the past 50 years.

Second, available aerial photographs of the property.

Third, Superfund liens against the property.

Fourth, Federal, State, local government records of activities causing release of hazardous substances.

Fifth, a visual site inspection of the property.

If these criteria are met, an individual would be recognized as conducting all appropriate inquiry.

This legislation in no way changes the liability scheme of Superfund. It is a clarifying correction which enables courts and potential landowners to determine exactly what is needed to fulfill all appropriate inquiry requirements. Not only will this legislation clear up a

very confusing situation, but it will restore the original intent of the innocent landowner defense—it will encourage the testing of sites for contamination, increasing the likelihood that contaminated sites will be found and cleaned up.

This legislation provides the guidance crucial to assessing the risk associated with hazardous waste sites. It would allow for the realization of the original goals of the Superfund legislation, while leaving the original statute unchanged in terms of liability.

A TRIBUTE TO SHERIFF BILL  
BROOKS

HON. MICHAEL J. KOPETSKI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 1993

Mr. KOPETSKI. Mr. Speaker, I rise to recognize the distinguished 42-year law enforcement career of Clackamas County Sheriff Bill Brooks. At the end of 1992, Sheriff Brooks retired after serving as the Clackamas County Sheriff since 1983.

At the time of his retirement, Sheriff Brooks was the president of the Oregon State Sheriff's Association. A brief listing of Sheriff Brooks service and awards includes: Past president of the Oregon City Chamber of Commerce; 1985 Sheriff of the Year; 1990 Oregon City First Citizen; Enterprise Courier 1990 Public Citizen; Oregon Criminal Justice Council, 7 years service; Oregon Medical Examiners Advisory Board, 4 years service; past chair of the Clackamas County Law Enforcement Council; Oregon National Guard Association, "for dedicated service"; and Oregon National Guard Association, "for selfless devotion."

Sheriff Brooks has counseled me on law enforcement issues dating back to my days in the Oregon State Legislature. Oftentimes, he has been the teacher and I, the student.

Mr. Speaker, Sheriff Bill Brooks career in law enforcement is unparalleled in the State of Oregon. Without a doubt, Sheriff Bill Brooks is one of the finest public servants ever to serve Clackamas County. Sheriff Brooks will be missed throughout the communities of my district. However, we all look forward to continuing our work with our dear friend, Bill Brooks.

I attach an article for the RECORD from the Oregon City News, detailing the life and career of Bill Brooks.

BROOKS ENDS 42-YEAR CAREER IN POLICE  
WORK

(By Ray Horn)

When the clock ticks off the seconds at midnight Dec. 31 into the new year, life will change for Clackamas County Sheriff Bill Brooks.

For the first time in his adult life, Brooks will be a civilian. The curtain will close on a

stellar 42-year career in law enforcement. To those who understand the magnitude of Bill Brooks's contribution not only to his own department but to all of law enforcement, there will be a note of sadness in this. The job just always seemed to fit Brooks like a glove.

For those who have known Brooks, he was always the right man for the job—the kind of person who ought to stay on for just four more years.

While many will miss his leadership and vision, all must know that Bill Brooks has a perfect right to choose the time of his departure.

"I have some family obligations," Brooks said. His wife Liz wants to travel, "and there's so much of this country I've never seen," he said. "My family has been so patient throughout my career and there are a lot of things we didn't get a chance to do that normal people get to do, because of the job," Brooks said. The first stop in January for Bill and Liz will be visiting family members in the San Francisco Bay area.

Where does a story about Bill Brooks begin and end?

How much of his nine-page single-spaced resume could we list? The honors and accomplishments were so many for so long. Brooks may be the best known and respected law enforcement official in Oregon today. Former governor Neil Goldschmidt noted that Brooks's influence and prestige have always extended far beyond the Clackamas County Sheriff's Department. Goldschmidt was so impressed with Brooks's total view and understanding of law enforcement and corrections issues that he appointed him to his 17-member transition team when he won the governorship. Former Governor Vic Atiyeh named Brooks to his Oregon Criminal Justice Council on which he served from 1985 to 1990. There is Bill Brooks, the community booster and former president of the Chamber of Commerce. There is Bill Brooks, reserve officer and former commander of the Oregon Civil Defense Forces, and Bill Brooks, the military helicopter pilot, and Bill Brooks, the sheriff of the year in 1985.

Maybe a good point of departure is Bill Brooks, the 15-year-old boy on vacation with his parents in Newport, Ore., in August of 1945. The war was over, Bill's father had worked without a day off throughout the war, setting up assembly line operations in aviation-related industries.

There were Bill and his father, Mark, and his mother, Ann, parked in their car in a state park overlooking the jetty, watching the sun sink on the horizon on the beautiful Pacific Ocean. Bill's father turned to him and said, "I can't think of a single reason to go back to St. Louis, Missouri, can you?" He turned to Ann and asked her the same question: "Can you?" Three no's made a decision, and soon Mark was building houses in Newport and later running the bus garage operation for the Lincoln Country School District. Ann was a teacher and writer and kept working on some of her 42 books of history and fiction.

"Newport was a close-knit town in those years," Bill remembers. It was a good place to grow up. Youths are impressionable in

● 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.

these years, and there were several groups of people Bill grew to respect and admire in Newport. There were the Oregon State Troopers stationed in Newport. "They were always friendly to kids and well liked," he said. Then there was the U.S. Coast Guard and its life-saving missions across the Yaquina Bay bar or at sea. Later, young Bill Brooks would be part of the U.S. Coast Guard's Yaquina Bay Group and make 217 rescue missions through surf and storm and fog.

Character and personality were forming in the young man. He loved to help people and he enjoyed the intensity of a 36-foot double-ended motor lifeboat barreling through heavy surf, or the adrenalin rush of stopping, disarming and arresting two robbery suspects in rural Clackamas County, as he would later do.

Bill Brooks joined the Coast Guard in 1949 and spent three years on active duty. His job title, damage control man, meant he was a firefighter, a welder, painter, and shallow water diver. He was on a cutter bound for Pearl Harbor when the Korean War broke out and was briefly diverted to Korean waters, where his ship was given a list of shore targets.

Bill joined the Coast Guard because he wanted to work on search and rescue missions, but found one of his assignments perfectly boring—when he spent one tour of duty on the supply freighter Yngala, cruising the Aleutians to Point Barrow and back.

Bill's fondest Coast Guard memories were the rescue calls on the lifeboat crew out of Yaquina Bay. Some of these missions were intense, hair-raising experiences; like the day the fog was so thick that visibility was zero, yet a 60-foot yacht from British Columbia had hit the rocks on the north side of the jetty. A technician had just installed the new S-U or surface radar on the motor lifeboat and urged his shipmates to have faith—he could get them out and back without any visual navigation. "The fog was so dense that when we got to the boat we threw a line onto their deck without ever seeing anyone. We could hear voices and later learned that the line hit someone on their deck when we threw it." Another memorable run on the lifeboat was mission Christmas one year when the Newport bar was so rough that the boat had to ride out the storm for four days offshore.

Bill spent some of his Coast Guard tour patrolling coastal rivers with a 27-foot boat and was often accompanied by Oregon State Police fish and game officers. Here, again, he was highly impressed with the quality of personnel with O.S.P. and thought about becoming a policeman when his three-year enlistment ended in 1951.

Twenty-one-year old Bill Brooks joined the Multnomah County Sheriff's Department in December of 1951, completed a three-week training course, and was on the street where he began his on-the-boat education. His next career move was to the West Linn Police Department in April 1952. "I enjoyed the job there, but pretty soon you realize you're just seeing the same old street lights every night. We were on the same frequency as the county and you could hear all of the stuff going on out in the county. So I started thinking I didn't want to be chasing the same taillights for the rest of my life and thought about the county as being a place with more action."

Bill approached Clackamas County Sheriff Fred Reaksecker and told him he would like to work for the Clackamas County Sheriff's Department if and when there was an open-

ing. There was an opening in August 1953, and Bill Brooks was hired to fill the position, becoming the fourteenth member of what had been a 13-member force.

The Sheriff's Department ran two shifts only in those years, a day shift and a night shift that went off at 3 a.m. "If there was a call after 3 a.m. that wouldn't hold, we would wake up an off-duty person," Brooks said. "We didn't have detectives then. If we had plainclothes work to do, we would change clothes. There weren't any cover cars or backup cars then."

Brooks's devotion to the department and superior performance earned rapid promotions. When Joe Shobe became sheriff in 1957, Brooks was promoted to sergeant, where he ran the day shift and still took one patrol himself. Clackamas County began to grow by 6,000 to 7,000 people a year in the 1960s, so the sheriff's department also began to grow, "although we were always lagging behind the curve," Brooks said.

Brooks became one of the department's first two lieutenants in 1960 and took command of the uniformed division and detectives. In 1964 he changed positions, taking over the service division. It was in this position that Sheriff Joe Shobe found that Brooks was the man of the hour with his administrative skills. Running a police agency became more complicated in the mid-60s. There was an explosion of paperwork, Brooks said.

"We got buried with paperwork almost overnight," he said. Deputies were covered by civil service in the early 60s, and then came unions and government grants and the paperwork that went with them. In his scrapbooks, which have been put together by several of his grandchildren, time and time again there are letters from Shobe or job evaluation forms attesting to Brooks's skills as an administrator. It appeared that every sheriff since Joe Shobe realized that the best way to make their work run more smoothly was to turn over as many administrative functions as possible to Bill Brooks.

When chief deputy Fred Abelle died in 1968, Shobe asked Brooks to become chief deputy, a position he held until 1977, when incoming sheriff John Renfro abolished the position and created a new two-bureau system to replace a seven-division system. Renfro served one term and chose not to seek another.

Paul McAllister was elected sheriff in 1981, abolished Renfro's administrative system, and asked Brooks to become undersheriff again. Bill was comfortable in the job and the department seemed to be on an even keel until McAllister was indicted following the discovery of an electronic bug on Clackamas County Commissioner Ralph Groener's phone in 1983. McAllister's chief of detectives, Pat Reed, had gotten a little overzealous. And more: when the bug fell out of the phone, the initials I.R.S. were on the device. An illegal bug is bad enough, but trying to implicate another agency is worse yet. So McAllister had to fall. It was tragic, because he too had had a distinguished career as a policeman and as a prosecuting attorney.

With McAllister's resignation, the county commission had to appoint a sheriff. Brooks, Ris Bradshaw, and Capt. Jerry Johnson delivered McAllister's letter of resignation and told the commissioners that they each felt qualified to handle the job. Commissioner Bob Shumacher later called Brooks and asked if he would accept the position. "I had felt comfortable in the role of chief deputy and I was cautious about the political aspects of being sheriff," Brooks said.

What he feared the most became Brooks's long suit: his ability to work with people. "I

found the political side of the job wasn't that unfriendly," he said. "I found that there were a lot of consensus builders," he added. "The political environment wasn't that bad. I found most of the mayors and city managers were willing to help out."

Brooks grew in stature. He said he made up his mind to never "try to use any form of political leverage even though I've seen it used by others. I also remembered something my father used to say. He said never treat anyone any differently in any situation than you would want to be treated in the same situation. You've got to be ethical if you're going to be trusted."

Respect and trust are hard to win for public figures, but Brooks did this. "I think one of the greatest compliments I ever had was when I heard Jack Smith of Gladstone say that 'if Bill says he needs it, that's good enough for me.'"

Brooks did something else that gained public trust in himself and his department. He reached out to the community by offering to serve in other capacities—as he did as president of the Tri-Cities Chamber of Commerce.

He tried to see the world and his department through the eyes of others. He said John McIntire, the former Clackamas County Director of Public Works and Transportation, jolted him into realizing that his frame of reference was too limited. "You are so intensely devoted to the sheriff's department to the point that it does you harm. You need to look at the whole picture in Clackamas County," McIntire told Brooks.

One of the reasons Brooks joined the Chamber of Commerce was to broaden his perspective beyond his vantage point of sheriff. "I joined the Chamber because I thought it was broader based than some of the other service clubs I could have joined," he said. "I wanted to see a different viewpoint than law enforcement. How do business people see law enforcement? I learned a lot in the Chamber. I saw that there is a lot of distrust of government. There is a feeling that no one is watching out for the little guy."

Seeing the big picture is something Brooks has always done in his profession. He could have limited his service to running his own department, but he always saw the connection between law, courts, society, and state and federal government as it related to law enforcement. That's why he assumed tasks like lobbying the legislature on behalf of the Oregon law enforcement community. He was Oregon Law Enforcement Legislative Committee chairman in 1986 and 1987.

While Sheriff Bill Brooks was doing all of the above, citizen Bill Brooks was contributing to his city, county, state and nation in many other capacities. He was, for instance, commander of the Oregon Defense Forces until time conflicts became too burdensome after he became sheriff in 1983. Brooks became chief of staff of the Oregon Defense Forces in 1980. The 500-member force becomes the state's only internal military force when the Army National Guard is called up for national emergencies.

Brooks was more than a good administrator and an effective politician. He was always on the leading edge of new developments in law enforcement. His leadership brought the first enhanced 911 system in Oregon to Clackamas County. In 1985 he was lauded by his peers for a number of outstanding innovations. Clackamas County began the first utility workers watch program in the state that year. Utility workers were trained in skills which helped them spot illegal activities in the neighborhoods where they worked. Construction of the C-Com

communications center began in 1985. "Information based" patrol assignments began in 1985. Utilizing data on the place and time of crimes, patrols could be assigned on the basis of proven need. The sheriff's department incorporated its data base with all local police departments in 1985 and soon recorded up to 250,000 computer transactions a month.

Asked how he thinks he may feel when he wakes up Jan. 1, 1993, Brooks said, "I've never really thought about it." He did say he feels good about his successor, Ris Bradshaw. "I feel good that he is highly competent and will do a good job." Brooks said he believes he is leaving the department in better shape than it was in 1983 when he became sheriff.

A long career on the order of Bill Brooks's is a long personal history of days and nights and years of getting up every day and setting out on a mission. It was his good fortune—and ours too—that he was so well suited for what he did.

#### PRIVATE PROPERTY PROTECTION ACT OF 1993

**HON. GARY A. CONDIT**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 1993

Mr. CONDIT. Mr. Speaker, I rise today to introduce a bill entitled, the "Private Property Protection Act of 1993."

The Private Property Protection Act of 1993 has been introduced to ensure that Federal agencies establish appropriate procedures for assessing whether or not Federal regulations might result in the taking of private property. The Private Property Protection Act also directs the Secretary of Agriculture to report to Congress with respect to such takings under programs of the Department of Agriculture.

In just the past 2 years, regulatory takings of property by Federal agencies have become a matter of substantial concern to Congress. Eleven separate bills were introduced during the 102d Congress, and I expect many more to be included with my bill during the 103d Congress. The reasons for these congressional responses are obvious.

Government policies intended to protect the environment have interfered with the constitutional rights of private landowners. In 1990 alone, 53,000 pages of Federal Government regulations were issued on the use of private property. It is not hard to imagine that these regulations have placed severe limitations on private property use.

In addition to limiting property use, Federal regulations have reduced land values while creating economic uncertainty and hardships for property owners. The U.S. Government is currently facing well over \$1 billion in outstanding takings claims. In 1990, several of the largest takings judgments in history were handed down, one totaling \$120 million. It has also been estimated that farmers could lose 25 to 50 percent of their land equity as a result of takings of private property. We cannot ignore the consequences of this possibility when economic hardships for individuals are becoming more and more of a every day occurrence. I strongly believe most Americans consider takings judgments totaling in the hundreds of millions of dollars and the ability of in-

dividuals to utilize private property vital policy areas for congressional consideration.

If enacted, the Private Property Protection Act will help avoid these problems. This measure can prevent inadvertent takings of constitutionally guaranteed property rights and thus reduce Federal Government's financial liability for such takings. It is a simple mechanism which will cause Federal agencies to consider the impact of their regulations on private property rights before they are implemented. The Private Property Protection Act will serve as an effective tool in the operation of regulatory programs and may make them more efficient since it will require regulators to better understand the result of their actions.

We have coming to a turning point in environmental regulatory policy. When regulations are imposed without proper compensation or due regard for the constitutional protection provided for in the fifth amendment, they do in fact, create a taking. Regulators must not be allowed to turn capable stewardship into a liability by removing or infringing on landowners constitutional rights.

William H. Taft once stated that—

Next to liberty, the right of property is the most important individual right guaranteed by the Constitution and the one which, united with that of personal liberty, has contributed more to the growth of civilization than any other institution established by the human race.

If we are going to protect the rights of individuals, then we must have balanced and equitable regulations to assure landowners that their private property rights are secure.

I hope that you will join me in fighting for the rights of individuals by supporting the Private Property Protection Act of 1993.

#### FREQUENT FLIER BONUS AWARDS

**HON. CURT WELDON**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 1993

Mr. WELDON. Mr. Speaker, last year in one of the most arrogant moves yet, the House Administration Committee authorized Members and staff to use frequent flier bonus miles for personal travel. Once again, Congress is doing what it does best—taking the American taxpayer for a ride, and making them pay for it. Air Congress loves to fly and it shows.

Today I am introducing a resolution that will eliminate the use of frequent flier bonus awards by Members and their staff. The resolution will prohibit the application of bonus miles, accrued during business trips, toward personal travel.

We cannot afford to send Members and staff on Government-sponsored vacations, leaving the taxpayer home alone. It's time to start spending taxpayers' money wisely, and start deficit reduction in our own House.

The Comptroller General has ruled that a frequent traveler benefit is the property of the Government. Federal employees are required to use any bonus miles earned on Government travel for official business, as are Senators and their employees, and the House should be no different. The time has come to

show the American people that we mean business and not business as usual. I urge Members to join in support of this effort to show taxpayers that we are part of the solution instead of the root of the problem.

#### COMMENDING FINANCIAL MANAGEMENT REFORMS DURING THE BUSH ADMINISTRATION

**HON. WILLIAM F. CLINGER, JR.**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 1993

Mr. CLINGER. Mr. Speaker, nearly 4 years ago, the incoming Bush administration was confronted with some of the greatest Government management problems in the history of the Republic. Newspaper headlines of those days were awash with management scandals at the Department of Housing and Urban Development, the savings and loan crises, thousand dollar hammers, and warehouses of unaccounted supplies.

At that time, the House Government Operations Committee, along with our colleagues in the Senate Committee on Governmental Affairs, began a series of hearings on the management practices of the executive branch. What quickly became crystal clear was the lack of sound financial management practices within the Federal Government. Despite decades of leadership in the areas of automation and accounting innovation throughout the 1940's and 1950's, by the late 1980's, the Federal Government's financial management infrastructure was in a deplorable state.

A Government Operations Committee report stated,

The Federal Government operates with many antiquated systems that do not provide adequate information required for effective management, program funding, and revenue-generating decisionmaking. There are hundreds of separate Federal agency accounting systems, making efforts to monitor and audit programs unnecessarily difficult. Meanwhile, billions of dollars are being spent to upgrade accounting and financial management systems but these efforts are not sufficiently planned or coordinated; thus, they routinely fail to meet their objectives.

By 1989, the General Accounting Office and the Office of Management and Budget conducted studies which identified high-risk programs in which as many as 78 different problems were identified which potentially posed liabilities of hundreds of billions of dollars. These serious problems had to be addressed.

In a proud moment for Government management, the Committee on Government Operations, the Senate Committee on Governmental Affairs, and the President's Office of Management and Budget came together to find a solution to this rapidly deteriorating management structure. The result of our efforts was the enactment of the Chief Financial Officers [CFO's] Act of 1990, which established a governmentwide chief financial management official, a controller, and CFO's in 23 departments and agencies. The CFO's Act was the most important piece of Government management reform legislation since enact-

ment of the Budget and Accounting Act of 1921, which created the General Accounting Office.

The Federal budget released by President Bush on January 6 provides hard evidence that the reforms created through enactment of the Chief Financial Officers Act have placed the Federal Government once again on the forefront of management integrity and innovation. Let me share with you the successes of the Bush administration in the area of financial management reform. Some of these were a direct result of the CFO's Act, other accomplishments were the result of unilateral actions taken by the administration. Each of these examples was provided in the President's annual budget submission. They include:

First, new financial management organizational structures have been established in OMB and the 23 agencies as required by the CFO's Act. CFO's and Deputy CFO's have been appointed and a CFO council and council operations group established.

Second, OMB prepared and submitted to Congress the first governmentwide report on the status of Federal financial management and a 5-year plan for its improvement as called for in the CFO's Act. The plan identified initiatives in eight areas: organization, personnel, accounting standards, financial systems, internal controls, asset management, communications with State and local governments and private contractors, and audited financial statements.

Third, OMB issued a directive defining the form and content for financial statements. The CFO's Act mandated the first government financial statements for departments and agencies. The traditional financial statement format has been expanded to include an overview of the reporting entity, funded and unfunded liabilities, funds required to finance unfunded liabilities, and a comparison of actual expenses for each program with the budget authority for the program.

Fourth, a Federal accounting standards advisory board has been established, with the former Comptroller General as chairman, to recommend accounting standards for Federal agencies. This settled a 5-year impasse on who sets accounting standards for the Federal Government. The CFO's Act does not mandate the existence of an accounting standards board and the Comptroller General, the Secretary of the Treasury, and the Director of the Office of Management and Budget should be commended for working together to create a mechanism for establishing Federal accounting standards.

Fifth, financial systems functional standards have been updated for core financial systems, and established for the payroll/personnel, travel, and seized assets systems. The U.S. standard general ledger has been established as a minimum standard for capturing financial information within agencies. These reforms began as early as 1980 but will require numerous additions years to be fully successful.

Sixth, the OMB budget execution data base has been automated by providing for monthly electronic reporting. This was also the result of efforts begun during the Reagan administration and continued throughout the Bush administration.

Seventh, \$604 million was provided in 1992 and \$625 million in 1993 for improved agency

financial systems, and a data base was established containing essential information about the status of government financial systems. OMB and Treasury have reviewed detailed agency financial systems plans. Unfortunately, Congress has not done enough to fund the financial management reforms initiated by the Bush administration. The funds provided in 1992 and 1993 were the result of efficiencies in other areas identified by President Bush and transferred for use to improve financial systems.

Eighth, the Federal Credit Policy Working Group, created by the Bush administration separate from the CFO's Act, has—

Instituted quarterly early warning reports to show significant trends in the performance of the portfolios of the five major credit agencies.

Established a credit training institute for agency credit staff.

Developed standard lender agreements that define the terms and conditions for lenders participating in the Government's loan guarantee programs.

Initiated an automated credit screening process to improve the loan origination process.

Initiated an automated capability to track delinquent debts referred to the Department of Justice for litigation and collection.

Ninth, the Internal Revenue Service has established targets for the collection of delinquent taxes and initiated quarterly reviews of collection performance.

Tenth, the Departments of Agriculture and Health and Human Services and the State of Maryland have initiated a statewide program to test electronic payment mechanisms for benefit transfers. This was the result of years of research in the use of electronic payment methods for Federal benefits. These mechanisms promise huge savings if fully implemented.

Eleventh, OMB has organized 14 inter-agency teams to develop and agree upon common program performance measures in areas such as loans and loan guarantees, health care, regulation and enforcement, and insurance programs.

Twelfth, OMB issued directives involving the audit of agency financial statements to require a significant expansion of audit effort, beyond the traditional audit process, in order to assess the quality of agencies' internal controls. OMB worked closely with the President's Council on Integrity and Efficiency, the General Accounting Office, and the American Institute of Certified Public Accountants to develop this guidance and initiate training in financial statement auditing for inspectors general and other auditors. These directives were required to implement the CFO's Act.

Thirteenth, 67 government entities and 24 government corporations have completed audited financial statements containing program performance information for 1991 activities. As mandated by the CFO's Act, approximately 120 government entities, plus 24 government corporations, are preparing in 1993 financial statements, which will be subject to audit, for 1992 activities.

Fourteenth, OMB has issued new indirect cost regulations for colleges and universities, to eliminate abuses in the charging of indirect costs and to assure a more equitable sharing

of the costs of overhead between the academic community and the Federal Government. Abuses like those recently discovered in colleges and universities helped prompt enactment of the Chief Financial Officers Act.

In addition, the Bush administration identified several improvements which are needed in the future. They include—

First, coordinated efforts are needed to define financial management personnel needs and target critical areas for recruitment and retention.

Second, additional functional and information requirements need to be standardized. Use of the off-the-shelf software program and cross-servicing arrangements need to be expanded, to reduce costs and improve the efficiency of processing and quality of management information.

Third, financial managers need to assure that the information in financial statements is useful and used. This can be done through the use of performance measures and accelerating the preparation and audit of financial statements, in order that they might be available for the appropriations process.

Fourth, since debt collection is often not a high priority at individual agencies and consolidated collection activities have evidenced improved performance at lower cost, further consolidation of debt collection activities and the feasibility of establishing a central debt collection agency should be explored. Also, policy officials need to be made more aware of their ability, under credit reform, to reduce credit subsidies and increase funds available for lending, through improved debt collection—including contracting out for private collection services.

A number of people and organizations should be commended for fostering the environment which led to enactment of the CFO's Act and the management reforms resulting from the act's requirements. My committee Chairman, JOHN CONYERS, and then ranking minority member Frank Horton, were instrumental in the drafting and passage of the original CFO's Act. They also led the fight to ensure that funding was later provided for CFO's Act reforms. Also to be commended are Senate Committee on Governmental Affairs Chairman JOHN GLENN and ranking minority member WILLIAM ROTH.

I particularly want to commend the leadership at the Office of Management and Budget for negotiating the final passage of the CFO's Act and, more importantly, ensuring its successful implementation. Mr. Frank Hodsoll, President Bush's Deputy Director of OMB for Management, and Mr. Edward J. Mazur, Controller at OMB, have worked tirelessly to guarantee that congressional intent to reform the government's financial management practices was met. They both, along with their dedicated staffs, deserve the commendation of this Congress.

I am not alone in my high regard for the work performed by those at the Office of Management and Budget. In the U.S. General Accounting Office Transition Series report entitled, "Financial Management Issues," Comptroller General Bowsler stated, "The CFO Act simply will not work without qualified, effective leadership, starting with the Deputy Director for Management and the Controller at OMB."

This standard was fully met in the appointment of the first Controller of OMB's Office of Federal Financial Management. This person, who is key to leading the governmentwide financial reform effort, has an extensive financial management background and a strong record of successful leadership in reforming State government finances. This appointment, as well as the selection of an effective Deputy Director for Management who aggressively pushed for the act's implementation, was an important signal of OMB's commitment to making the CFO's Act work.

Throughout the coming years we will undoubtedly conduct additional oversight hearings to reinforce the mandates of the CFO's Act and other management reform efforts directed by Congress. It will be the charge of the Clinton administration to continue the efforts of President Bush to help ensure that the Federal Government is once again the leader in financial management practices and innovation.

#### THE NEED TO ALERT CITIZENS TO WASTE FACILITY SITING PROPOSALS

##### HON. MIKE SYNAR

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 1993

Mr. SYNAR. Mr. Speaker, last Thursday I joined with my friend and colleague, Representative BILL CLINGER, to introduce H.R. 495, important legislation designed to inform the public about the impacts of proposed hazardous waste treatment or disposal facilities on their communities. Last year, during the Energy and Commerce Committee's markup of the Resource Conservation and Recovery Act [RCRA] subtitle D reauthorization bill, Mr. CLINGER and I crafted, and I then sponsored, a similar measure for proposed municipal solid waste treatment or disposal facilities. Although the provision passed unanimously in committee, the year's tight legislative schedule did not permit House consideration of the RCRA bill before adjournment. Because the siting of waste treatment and disposal facilities—both hazardous and non-hazardous—is such a complex and contentious issue, there is a need to get local communities who will be impacted by these facilities involved in the decisionmaking on the ground floor.

Mr. Speaker, recent studies have found that a disproportionate number of waste facilities are sited in rural, poor, and minority areas. I have seen these problems in my own State of Oklahoma where waste disposal companies have targeted rural and Native American communities. One common complaint coming from these communities is that, while the permit process enables them to ensure that the proposed facility will meet regulatory environmental requirements, the public is often unable to determine what overall effects the facility will have on the community.

Citizens deserve to know the impacts on their community. To correct this deficiency, H.R. 495 requires that a community information statement be prepared prior to the issuance of a permit for a hazardous waste treat-

ment or disposal facility. The host community and the permit applicant will jointly select an independent contractor to prepare the impact statement, which will be paid for by the permit applicant. The statement is designed to identify and describe first, the economic and other impacts of the facility on the host community, including impacts on employment, housing, public safety and emergency preparedness, transportation systems, and recreation amenities and tourism; second, the types of wastes entering the proposed facility and any health effects associated with those wastes; third, the demographic characteristics of the community; fourth, the presence of any past or existing waste disposal facilities or Superfund sites; and fifth, the environmental compliance record of the firm operating the proposed facility.

Mr. Speaker, the purpose of the community information statement is not to recommend approval or denial of a proposed facility. Rather, it is to provide communities needed information that is not currently available in the permitting process. Providing communities with this very basic information will enable them to participate in the siting process at an early stage and will enhance the quality of the ultimate siting decision. I hope my colleagues agree that communities should be kept informed to the fullest extent so that sound decisionmaking can take place, and I urge my colleagues to cosponsor the legislation.

#### THE RECYCLING INFORMATION CLEARINGHOUSE ACT

##### HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 1993

Mr. WELDON. Mr. Speaker, I rise today to reintroduce the Recycling Information Clearinghouse Act. This legislation calls for the creation of a recycling clearinghouse within the Environmental Protection Agency's [EPA] Office of Solid Waste Management. With the monumental environmental problems this Nation faces in the future, it is imperative we examine these problems with a modern perspective.

America's garbage problem is heavy indeed. Each year we generate over 180 million tons of garbage. We discard enough paper in a year to build a 12-foot high wall stretching from coast to coast. Every hour we dispose of 2.5 million potentially recyclable plastic bottles. The EPA estimates that this amount of waste will continue to increase rapidly through the year 2000.

Our traditional method of disposing of garbage in landfills is becoming obsolete. Ten years ago in Pennsylvania, we had over 1,000 active landfills; today we have under 100. In addition to dwindling capacity, the cost to dump in landfills is skyrocketing. Our latest trend in disposal technology is incineration. Unfortunately, this method has proven to be both hazardous and inefficient.

The first step in tackling our waste problem is to convert from a throwaway society to a recycling one, by shifting our focus from waste disposal to waste reduction. Although we possess the technology to recycle 80 to 90 percent

of glass and aluminum, we recycle only 13 percent of our garbage annually. Recycling is cleaner and more energy efficient than both landfills and incineration. Having set up the first comprehensive recycling program in Pennsylvania, I know recycling works at the local level. Our recycling programs have provided substantial savings in county disposal costs.

The key to success is information. The success of recycling in Delaware County should be made available to other officials who are interested in setting up their own programs. My legislation would create a clearinghouse of information on the national level in the EPA. The bill would authorize \$500,000 to be matched by the private sector. The clearinghouse would provide easy access to information regarding recycling to any interested State or local officials through a toll-free hotline. Technical assistance would be disseminated through seminars and other resources.

Although the clearinghouse will not eliminate the waste problem, it is definitely a step in the right direction. Recycling can be a clean, cost-effective means to dealing with our garbage glut. I urge my colleagues to join me in support of the Recycling Clearinghouse Information Act.

#### A TRIBUTE TO YOSHI HONKAWA

##### HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 1993

Mr. MATSUI. Mr. Speaker, I rise today to recognize and honor one of the leaders in the health care field, Mr. Yoshi Honkawa, who is retiring after 4 years as chairman of the American Hospital Association's Political Action Committee. In honor of his tremendous leadership, commitment, and enthusiasm, the AHAPAC is bestowing upon Yoshi the AHA Trustee Award for his outstanding service.

Yoshi has been not only a great advocate for California hospitals, but a wonderful friend as well. He is always available for advice and to listen to new ideas. He has brought innovation to the development of health policies at the National and State levels. His commitment and leadership on health care matters is truly worthy of praise.

Yoshi is the vice president for government and industry relations at Cedars-Sinai Medical Center in Los Angeles. He is a member of the California Hospital's Political Action Committee Board and is a valuable member of the California Health Policy and Data Advisory Commission Board, which is a gubernatorial appointment. Additionally, he chairs the hospital data advisory and public information subcommittee.

As an advocate for improving the quality and efficiency of the delivery of health care, Yoshi's dedication has been lifelong. He served as chairman of the National Council on Health Planning and Development, under appointment by the Secretary of the Department of Health and Human Services, and he also has served as chairman of the State of California Advisory Health Council, appointed by then-Governor Ronald Reagan.

In addition to his many appointments, Yoshi received the California Hospital Association's Walker Fellowship in 1985 and the Certificate of Distinction in 1988 from the California Association of Hospitals and Health Systems. In 1988, he received the Health Services Administration Alumni Association Award from the University of Southern California.

Mr. Speaker, I pay this tribute to my close friend Yoshi Honkawa in honor of his accomplishments and contributions to the health care debate, and I ask my colleagues to join me in congratulating him on his exceptional leadership as chairman of the AHA Political Action Committee. I extend my best wishes to him in all of his future endeavors.

**FIFTY YEARS OF SERVICE TO THE PUBLIC, THE ASSOCIATION FOR SUPERVISION AND CURRICULUM DEVELOPMENT**

**HON. J. DENNIS HASTERT**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 1993

Mr. HASTERT. Mr. Speaker, for 50 years, the Association for Supervision and Curriculum Development has been dedicated to developing leadership for quality education for all students. ASCD believes students are more likely to receive a high quality education when the learning environment provides a balanced curriculum, offers opportunities for self-direction, fosters leadership, ensures equity, respects cultural pluralism, values education for democracy, and promotes responsible citizenship.

With affiliates in 50 States, the District of Columbia, 9 other countries, and 2 territories, ASCD has been a driving force in improving the quality of public and private education in the United States and around the world. Through exemplary publications, conferences, training centers, institutes, and consortiums, ASCD has helped education leaders at all levels transform their vision of educational excellence into a daily reality.

As Members of the 103d Congress of the United States, we should commend the Association for Supervision and Curriculum Development for the immense contribution it has made to the education of generations of children and to the success of our Nation's schools.

**REFORM ETHICS OVERSIGHT**

**HON. CURT WELDON**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 1993

Mr. WELDON. Mr. Speaker, I rise today to introduce a resolution to reform ethics oversight in the House of Representatives.

This measure would establish a 14-member Commission on Congressional Ethics composed of private citizens, while eliminating most responsibilities of the House Committee on Standards of Official Conduct. Not only will this remove Members' conflict of interest in policing their colleagues, but it will give people a hands on role in shaping all the administra-

tive operations of the House. The best way to reform the People's House is to get more of the people involved.

As the November elections confirmed, the American people want change and are demanding reform. It is time for us to act. This measure is not a complete solution to the public confidence crises, nor the last word of reform in this body. But it is a positive step in the right direction.

In a recent Washington Post interview, Senator JESSE HELMS said of congressional ethics reform: "We need to do something to reassure the public we're not a bunch of folks sitting in a back room doing favors for each other." I believe this resolution will do exactly that.

Passage of this legislation will provide us with the steam we need to get the ball rolling on institutional reform. I will press for adoption of this proposal in the House and before the newly established Joint Committee on the Organization of Congress. I look forward to the support of all Members in this body.

**IN HONOR OF BRIAN FOLEY AND HIS WORK ON BEHALF OF PERSONS WITH AIDS IN NEVADA**

**HON. JAMES H. BILBRAY**

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 1993

Mr. BILBRAY. Mr. Speaker, today I rise to honor and praise the work of one of Nevada's most outstanding and courageous individuals. I rise to not only honor his accomplishments but also in the hope that his work will live on as we strive to find a cure for AIDS. I speak of Brian Foley.

Brian has long been an advocate for persons with this deadly disease and for many years has been at the forefront of Nevada's battle to educate our community about the realities of AIDS and the necessity to put our efforts into cures and prevention. In the early days of the epidemic, Brian was one of the first volunteers at Aid for AIDS of Nevada [AFAN]. Brian was instrumental in AFAN's initial success, devoting countless hours and dollars at a time when most people were still afraid of people with AIDS.

As word of the disease spread and countless more lives were lost, Brian saw a need to provide support for those people left behind in this epidemic. His tireless work led to the creation of the Southern Nevada NAMES Project, the Nevada chapter of the AIDS Memorial Quilt. His efforts and tireless dedication to this effort culminated in the first Las Vegas display of the quilt in July, 1992. Through his efforts, over 60 panels have been added to the Nation's AIDS quilt. His selfless determination and participation in the AIDS Hospice of Nevada has allowed those stricken with the disease to receive comfort, compassion, respect, and love in their final days.

Despite his own deteriorating health, Brian continues to channel his energies towards comforting those who suffer from the disease and educating our community about the need for understanding and scientific funding that will help us solve this deadly and tragic disease. As President Clinton assumes the mantle of leadership our hopes are heartened by his pledge to increase the funding and emphasis in finding a cure for AIDS. Let us hope that his efforts will make the accomplishments and the life of Brian Foley that much more meaningful.

My colleagues, I ask you today to rise with me, on the anniversary of Brian Foley's birth,

January 30, to honor his life, his accomplishments and his legacy, and to offer him the love and respect that he has given to so many others.

**LET'S START GIVING AMERICAN WOMEN AND MEN CHOICES TO BE PROUD OF**

**HON. PATRICIA SCHROEDER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 1993

Mrs. SCHROEDER. Mr. Speaker, last week was a week that American women won't forget. We welcomed in a new administration. We celebrated 20 years of a woman's right to choose. President Clinton reversed five devastating regulations that had prevented women from receiving desperately needed health services.

Yet, this year there will be over 3½ million unintended pregnancies in the United States, mostly due to misused or faulty contraceptive methods. And, although the Food and Drug Administration [FDA] has approved Norplant and Depo-Provera, the costs of these methods are often prohibitive and do not protect against sexually transmitted diseases [STDs]. Although the FDA is working on approval for a female condom, it will be the first new barrier-method available to American women in over a decade. After 20 years, the contraceptive choices that American women and men have to protect themselves from unwanted pregnancies and sexually transmitted diseases are limited.

Furthermore, the National Center for Health Statistics estimates that 2.3 million Americans are infertile and that as many as 20 percent of these cases are attributable to misdiagnosed and untreated STD's—one of the only preventable causes of infertility. Infertility strikes women and men equally and adds billions of dollars to our already overburdened health care system.

That is why Representative OLYMPIA SNOWE and I are introducing the Contraception and Infertility Research Centers Act of 1993 to authorize \$30 million for pioneering research on pregnancy prevention, STD prevention, and cures for infertility by offering continuing support to three contraceptive and two infertility research centers for the next 5 years. In addition, the bill creates a loan payment program to attract the most promising researchers and health professionals into the field. The last of these centers was recently funded through the National Institutes of Health [NIH] and is busily working on developing new contraceptive methods. The two infertility centers are also working to cure this frustrating and costly condition.

If the early days of the Clinton administration, and the 103d Congress are any indication, American women and men can look forward to many choices—choices to be proud of.

**SELECT COMMITTEE ON DISASTER PREPAREDNESS AND RESPONSE**

**HON. CURT WELDON**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 1993

Mr. WELDON. Mr. Speaker, I rise today to introduce a resolution to establish a Select Committee on Disaster Preparedness and Response. Following Hurricane Andrew, many in

Congress have called for the abolition of the Federal Emergency Management Agency (FEMA) and/or a complete overhaul of our Federal disaster response plan. Prior to taking any drastic or hasty steps, it is imperative to carefully evaluate the performance of institutions with responsibility for emergency response and management.

There are 20 subcommittees in both Chambers that have jurisdiction over some part of FEMA. Obviously, this overlapping jurisdiction makes it very difficult to review FEMA's operations. A select committee would provide the Congress with a broad perspective necessary to make informed decisions about the future of FEMA. In addition to evaluating FEMA's mission and performance, the select committee would examine the roles of the local, State, and Federal governments and issue recommendations to coordinate their efforts.

The question is not whether another natural or man-made disaster will strike the United States, but when. It is inevitable. For this reason, we must thoroughly examine our Nation's mitigation procedures, preparedness, and emergency response capabilities. As a former fire chief and the former chairman of the Congressional Fire Services caucus, I am confident that a select committee is the most proper approach.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, January 26, 1993, may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

##### JANUARY 27

9:00 a.m.  
Governmental Affairs  
Permanent Subcommittee on Investigations  
To continue oversight hearings to examine certain activities of the insurance industry, focusing on the Blue Cross and Blue Shield of the District of Columbia plan.  
SD-342

9:30 a.m.  
Energy and Natural Resources  
Organizational meeting, to consider proposed legislation requesting funds for the committee's operating expenses.  
SD-366

10:00 a.m.  
Agriculture, Nutrition, and Forestry  
To hold an organizational meeting, to consider the committee budget, subcommittee assignments, and its rules of procedure for the 103rd Congress.  
SR-332

Appropriations  
Transportation Subcommittee  
To hold hearings on benefits of transportation investment.  
SD-138

Banking, Housing, and Urban Affairs  
To hold hearings on the condition of the banking and thrift industries and their insurance funds.  
SD-562

Joint Economic  
To hold hearings on the economic outlook for 1993.  
2237 Rayburn Building

##### JANUARY 28

9:30 a.m.  
Governmental Affairs  
To hold hearings on proposed legislation to redesignate the Environmental Protection Agency as the Department of Environmental Protection, an executive agency.  
SD-342

Rules and Administration  
Organizational meeting to consider committee's rules of procedures for the 103rd Congress, membership for the Joint Committee on Printing and the Joint Committee on the Library of Congress, and pending legislative and administrative business, including the committee's budget for the 103rd Congress.  
SR-301

10:00 a.m.  
Budget  
To hold hearings on the nation's economic outlook.  
SD-608  
Judiciary  
Business meeting, to consider pending committee business.  
SD-226

##### FEBRUARY 3

9:30 a.m.  
Rules and Administration  
To hold hearings on proposed committee resolutions requesting funds for operating expenses for 1993 and 1994.  
SR-301

##### FEBRUARY 4

9:30 a.m.  
Governmental Affairs  
To hold hearings to examine the General Accounting Office analysis of TRIAD cost effectiveness.  
SD-342

Rules and Administration  
To continue hearings on proposed committee resolutions requesting funds for operating expenses for 1993 and 1994.  
SR-301

##### FEBRUARY 18

10:00 a.m.  
Banking, Housing, and Urban Affairs  
To hold hearings on the Federal Reserve's monetary policy report for 1993.  
SD-562

##### FEBRUARY 23

9:30 a.m.  
Veterans' Affairs  
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Disabled American Veterans.  
345 Cannon Building

##### FEBRUARY 25

9:30 a.m.  
Veterans' Affairs  
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Paralyzed Veterans of America, the Blinded Veterans of America, the Military Order of the Purple Heart, the Jewish War Veterans, and the Retired Officers Association.  
345 Cannon Building

##### MARCH 2

9:30 a.m.  
Veterans' Affairs  
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Veterans of Foreign Wars.  
345 Cannon Building

##### MARCH 31

9:30 a.m.  
Veterans' Affairs  
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of AMVETS, the Veterans of World War I, the Vietnam Veterans of America, the American Ex-Prisoners of War, and the Non-Commissioned Officers Association.  
345 Cannon Building

#### POSTPONEMENTS

##### FEBRUARY 2

9:30 a.m.  
Governmental Affairs  
To hold hearings to examine performance measurement in Federal programs.  
SD-342