

became legislative advocate. He worked and spoke out against various proposals to cut back on legal immigration, due process rights of immigrants and for the battered immigrant spouse provisions of the violence Against Women Act. He has published several articles on immigration rights, and on Asian Americans and public policy on immigration matters and on Asian American political.

Bill has served on the Boards of the Coalition for Immigrant and Refugee Rights and Services, Asian and Pacific Islander American Health Forum, and the Poverty and Race Research Action Council. He served as the chair of the National Network for Immigrant and Refugee Rights. From 1986–88, he was a National vice-president of the National Lawyers Guild.

In the 16 years with the Asian Law Caucus, Bill's accomplishments and achievements are indeed remarkable. It is an indication of the role Bill Tamayo has played and will continue as a leader and participant in the struggle for peace, justice, and social equality. I join with countless other civil rights and community leaders in honoring this dedicated public servant, Attorney Bill Tamayo.

INTRODUCTION OF LEGISLATION TO CORRECT THE IMPLEMENTATION OF THE MARINE DIESEL FUEL TAX

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 1995

Mr. FARR. Mr. Speaker, I rise today to call attention to an issue of great importance to the boating community nationwide; the problems caused by the marine diesel fuel tax provisions imposed under the Omnibus Reconciliation Act of 1993.

Under this provision, two types of marine diesel fuel are available to boaters. Clear, taxable fuel is offered for sale to recreational boaters, while blue-dyed non-taxable diesel fuel is offered for sale to commercial boaters. In effect, this provision forces commercial vendors of marine diesel fuel to either dispense two types of diesel fuel which must be stored in separate tanks, often at the unnecessary and excessively burdensome cost of building an additional tank, or to offer only one type of diesel fuel, usually the dyed, which is not readily available for sale to pleasure boaters.

While this tax provision was meant to ensure that recreational boaters pay their fair share of marine diesel fuel taxes, it has instead created a disastrous situation where many recreational boaters cannot find clear, non-dyed taxable fuel for their use. This provision often forces boaters to travel long, often perilous distances at sea, in the search for diesel fuel.

I am offering a practical solution to this problem. My bill would amend the marine diesel fuel tax provision to all boaters, both commercial and recreational, to purchases dyed diesel fuel and pay applicable taxes at the pump. The bill would make it easier for fuel vendors to offer taxable fuel for sale while making it easier and safer for recreational boaters to purchase this fuel. The greater availability of dyed diesel fuel could even lead to an increase in current revenues to the Unit-

ed States Treasury. Commercial boaters would remain exempted from this tax.

Mr. Speaker, this problem is not specific to one particular district or State. Boaters nationwide are suffering from the unavailability of diesel fuel at local marinas. I urge my colleagues in the House to act on this legislation as soon as possible to ensure safe and fair access to diesel fuel for all boaters.

DR. HENRY FOSTER

HON. EARL F. HILLIARD

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 1995

Mr. HILLIARD. Mr. Speaker, I rise today to address my colleagues of the House and speak out in support of Dr. Henry Foster. I believe strongly that Dr. Foster is an ideal candidate for this position.

Dr. Foster has devoted his entire career to ministering to impoverished and underprivileged citizens, especially teenagers.

He focused his efforts on addressing the problems of drug abuse and unplanned pregnancy among teenagers. Dr. Foster has recognized that the crisis of teen pregnancy is the root of many problems we face as a nation today. His work focused on motivating underprivileged teens to stay in school and graduate, and to concentrate on their futures.

The program he developed, called I Have a Future, was nationally recognized for its novel and innovative approach to the prevention of teen pregnancy. In 1992, he was honored by President George Bush as one of America's Thousand Points of Light.

In the late 1960's, Dr. Foster resided in Tuskegee, AL, where he was the only obstetrician in the area.

THE INTRODUCTION OF THE VOLUNTARY PROTECTION AUTHORIZATION ACT OF 1995

HON. JAMES A. HAYES

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 1995

Mr. HAYES. Mr. Speaker, at a time when our economy demands that American businesses become more efficient to remain competitive, the relationship between management and labor, employer, and employee can no longer afford to be the confrontational one of the past. Improving health and safety in the workplace should not be divisive, but must instead be intuitive and one of our top objectives in facilitating greater productivity.

It is with this in mind that I join today with my fellow Louisiana colleague Congressman RICHARD BAKER to introduce the Voluntary Protection Authorization Act of 1995.

Our bill is intended to codify the highly successful Voluntary Protection Program [VPP] administered by the Occupational Safety and Health Administration. Under the current loose regulatory structure, VPP promotes effective health and safety program management that requires the participation and cooperation of both management and nonmanagement employees. Our legislation establishes framework that maintains the integrity of the existing pro-

gram by providing the appropriate incentives to businesses to develop and implement high quality health and safety plans.

Authorizing VPP will level the playing field and allow the program the opportunity to compete for scarce dollars with other training and compliance assistance programs which have traditionally received insufficient resources. By doing so, we will endeavor to enhance the commitment to health and safety in the workplace that can never be fully realized through enforcement alone.

There are approximately 155,000 employees and 200 worksites, including two in my southwest Louisiana district, presently participating in VPP. Labor and management have come together to improve among other important things, employee motivation, lower lost workdays, and workers compensation costs and claims. These are just a few examples of the benefits and accomplishments of VPP.

Health and safety is an issue that should not be volatile. Labor, management, and Government must work cooperatively toward the common goal of sustainable economic progress. Our bill represents such an effort. The proposal enjoys the support of representatives of the small businesses community, large industry, the VPP Participants Association, and rank-and-file labor of participating firms. I welcome my colleagues to join us in moving this consensus, bipartisan bill forward.

THE COMPREHENSIVE SURVEY OF YOUNG OFFENDERS ACT

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 1995

Mr. WYDEN. Mr. Speaker, today I am introducing the Comprehensive Survey of Young Offenders Act. While Congress has spent much time and effort, and is about to spend vast sums on measures to address crime committed by adults, it is juvenile crime that is increasing exponentially. Particularly ominous, experts in the field report that while one can collect voluminous information on the national patterns and problems of adult crime and the adult criminal justice system, basic statistical data on the juvenile justice system is sketchy at best. Congress, States and localities have little or no comprehensive data on what the career record of a young offender looks like or how juvenile offenders flow through our country's juvenile justice systems.

A 1994 FBI study on major crimes reported that while the number of murders committed by adults 25 or older dropped 20 percent, the number of homicides committed by 18–24-year-olds increased 65 percent, and those by 14–17-year-olds increased 165 percent. However, according to several experts who study juvenile crime, by the year 2005 the number of teenagers in this country will increase 23 percent, and youth crimes will increase dramatically as well.

To effectively address youth crime, the Federal Government and the States need clear, straightforward data on how the current juvenile system functions. I have worked closely with Dr. James Q. Wilson, the noted UCLA criminologist, to meet this need through the legislation I introduce today. Dr. Wilson correctly pointed out that instead of fighting youth

crime with grandiose rhetorical statements like harsh treatment and mollicoddling, it is time to address the issue with a commonsense look at the facts.

There is a substantial amount of anecdotal evidence that indicates the juvenile system is in trouble. For example:

In Portland, my hometown, the Oregonian, described a case where a child committed 50 crimes, 32 of which were felonies, before the juvenile justice system took action to protect the community.

According to New York magazine, in New York State, 30,000 juveniles picked up for misdemeanors in 1993 were issued youth division cards and then released—essentially the paperwork was filed and the child walked out.

In Chicago, in the case of Yummy Sandifer, Newsweek reported that he averaged a felony a month for the last year and a half of his life (23 felonies and 5 misdemeanors in all). He was actually convicted of two felonies in juvenile court and nothing ever happened to him. Finally, he killed someone and was killed himself.

A system like this neither serves the children who commit crimes nor the community it is supposed to protect. Nationally, only 50 percent of juvenile cases even go to juvenile court. Most cases are handled by some form of social services division. The majority of juveniles who do go to court are given probation.

While this information indicates a system that is overwhelmed with violent offenders and doesn't have the legal remedies necessary to deal with such an influx, a broad overview of the problem is missing. The Comprehensive Survey of Young Offenders Act, would help Congress, States, and localities fill the holes in our knowledge of juvenile crime and our country's juvenile services. Right now there is little or no comprehensive data on the patterns of crime for young offenders, how many times a young offender goes through the juvenile justice system or which punishments or programs effectively protect the community and reduce recidivism.

This legislation would require the Bureau of Justice Statistics [BJS] to look into these issues—to survey available data on the crimes juveniles commit, to examine how young offenders flow through the juvenile justice system, and to report the outcomes of juvenile cases that are both petitioned to juvenile court and those that are handled informally.

Additionally, my legislation would require the BJS to design and estimate costs of a program that will improve data collection on young offenders in the States. While many States are moving in the direction of juvenile reform, few systematically evaluate the outcomes in their juvenile justice programs.

It is obvious that the rate of juvenile crime is climbing. What Congress now needs to do is take a comprehensive look at how our country's juvenile systems are handling that increase in crime and then evaluate where our national policy needs to go to address this enormous challenge.

AGRICULTURE WATER CONSERVATION ACT

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 1995

Mr. CONDIT. Mr. Speaker, I rise today to introduce the Agriculture Water Conservation Act.

During 1992, nearly 1.5 million acres of cropland in the United States irrigated by surface/gravity methods, either was converted to more efficient irrigation systems or was removed from production. At the same time, low-flow irrigation acreage increased by 15 percent and sprinkler acreage grew at a pace of 3 percent. An increasing demand on a limited water supply has created a demand in the agriculture community for water conservation.

Over the last several years I have read countless articles in different publications on the need to conserve water, and the role Federal Government has with this mission. While discussing water conservation methods with farmers in my district, I found cost was their overriding concern. The outlays required to implement water conservation systems—i.e., drip irrigation, sprinkler systems, ditch lining—are a tremendous burden on the agriculture industry. While I firmly believe most agriculture interest are genuinely concerned about conserving water, cost has crippled by the ability to implement conservation methods on farms.

My bill is not a mandate for expensive water conservation systems, it is a tool and an option for the farmer. Specifically, it will allow farmers to receive up to a 30 percent tax credit for the cost of developing and implementing water conservation plans on their farm land. The tax credit could be used primarily for the cost of materials and equipment. This legislation would not require them to change their irrigation practices. However, it would allow those farmers who want to move toward a more conservation approach of irrigation but cannot afford to do it during these tough economic times.

I am currently focusing a great amount of effort on reducing the threats to viable agriculture in the United States. The Agriculture Water Conservation Act, which is similar to legislation I introduced in the last two Congresses, is the kind of incentive we need in order to establish conservation measures which enable farmers to assist in solving water shortage problems. I believe providing for the long term water supply needs of environmental, urban, and agricultural users is a critical part of the solution.

The Agriculture Water Conservation Act is not the end all solution. Since I have introduced this bill in 1992 I have consulted with farmers, local irrigation districts, the Department of Interior's Bureau of Reclamation and the Department of Agriculture's Natural Resources Conservation Service. All these groups have given me helpful and beneficial advice on how to improve on this legislation. I believe farmers will contribute to solving water supply problems when given the opportunity, as they already have through conservation transfers and crop changes. This bill will provide yet another vehicle for farmers to contribute toward a solution while offering a modest credit to share the cost with the true beneficiaries—the public.

USDA INSPECTOR GENERAL'S JANUARY 1995 REPORT "APHIS ENFORCEMENT OF THE ANIMAL WELFARE ACT"

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 1995

Mr. BROWN of California. Mr. Speaker, as a long-time supporter of animal welfare legislation and as one of the Members of Congress intimately involved in the 1985 amendments to the Animal Welfare Act [AWA], I have a keen interest in promoting the humane treatment of animals as well as ensuring the strength and enforceability of the Animal Welfare Act.

After an initial review of the USDA inspector general's January, 1995, report, "Animal and Plant Health Inspector Service (APHIS) Enforcement of the Animal Welfare Act," I am deeply concerned with the Agency's ability and willingness to adequately monitor and reasonably ensure the humane care and treatment of animals. The inspector general stated, "APHIS does not have the authority . . . to effectively enforce the requirements of the Animal Welfare Act." While I am pleased to see this unambiguous statement, I am greatly troubled by the USDA's seemingly willful neglect of the law. It took APHIS over 6 years to promulgate regulations based on the amendments to the act that were enacted in 1985. While this delay in responding to the requirements of the amendments was in my view unacceptable, I find it even more disconcerting that the problems associated with the enforcement of this act have not abated.

Lack of adequate resources is part of the problem associated with APHIS's ability to adequately monitor and inspect animals and facilities. In the past I have testified before the Appropriations Committee in favor of increased funding for enforcement of the AWA. I realize that Congress shares the burden of responsibility for not allocating the appropriate resources needed to fully implement this law.

More importantly, however, the inspector general's report indicates that APHIS has been neglecting its statutory obligations and has renewed facility licenses even when cited violations—past and present—had not yet been corrected. Additionally, APHIS is not inspecting research facilities before issuing the initial registrations, therefore noncompliance with the act may go unnoticed until APHIS' first inspection up to a year later.

It was clearly the intent of Congress that facilities should come into compliance before being issued the initial registrations, and that license renewals should be withheld where licenses have been suspended or revoked or in instances where facilities are not in compliance with the provisions of the act. Section 2.3 of the Animal Welfare Act, among others, implicitly gives APHIS the authority to conduct inspections and to deny renewals. The provision reads:

Each applicant must demonstrate that his or her premises and any animals, facilities, vehicles, equipment, or other premises used or intended for use in the business comply with the regulations and standards set forth in parts 2 and 3 of this subchapter. Each applicant for an initial license or license renewal must make his or her animals, premises . . . available for inspection . . . to ascertain the applicant's compliance with the standards and regulations.