

different from other Federal programs. The majority made a half-hearted effort to eliminate the legitimate fears of our Nation's older citizens by offering House Concurrent Resolution 17. But far from exempting Social Security from the cuts required to achieve a balanced budget, that resolution merely called on the appropriate committees of the House and the Senate to report implementing legislation that would achieve a balanced budget without increasing the receipts or reducing the disbursements of the Social Security trust funds.

This was meaningless. Why not include in the amendment itself a prohibition on utilizing Social Security funds to achieve a balanced budget? We seem to agree on two things. First, nobody wants to cut Social Security. Second, everybody wants to balance the budget. Our majority colleagues think we need a constitutional amendment to do what we've said we want to do with the budget. But they don't think we need the same sort of constitutional protection to make sure that we stick to our pledge not to cut Social Security. This doesn't make any sense. Our country's senior citizens have worked hard and they deserve to have the integrity of the Social Security program protected. They deserve better than a nonbinding resolution.

Finally, the contract's balanced budget amendment fails to address the critical issue of judicial review. Our Founding Fathers carefully set up our system of checks and balances. The three branches of Government have different powers and different responsibilities. The contract's amendment has the potential turn the duties of the executive and legislative branches over to the judiciary. There is nothing in this amendment to prevent lawsuits from tying up the Federal courts with issues that rightly belong in the legislative domain. I was elected by the people of Maine's Second District to come to Washington and make tough choices. I was not elected to come here and abdicate my responsibilities to nine unelected and largely unaccountable Supreme Court Justices.

Enactment and ratification of the contract's balanced budget amendment will not reduce the Federal deficit by one penny. Only Congress can do that. If we lack the courage to make the difficult choices required, I am not convinced that an amendment to the Constitution is going to provide sufficient fortification.

That said, I am placed in a difficult position. I want to demonstrate my strong support for balancing the Federal budget. I have lived and worked under a State balanced budget requirement for 12 years. But the rule which was adopted governing this debate does not permit me to address my very serious concerns by offering amendments to improve any of the six substitutes which we are being allowed by the majority to consider.

And so, as happens so often in the legislative branch, I am forced to choose between imperfect measures. For the reasons I have outlined above, I cannot support the contract's balanced budget amendment. It is simply too flawed and too contrary to the best interests of the American people.

I will, however, support the amendment offered by my colleague, Mr. WISE. His amendment, while far from perfect, addresses four of my major concerns. It provides for separate capital and operating budgets, a realistic way for the Federal Government to handle its finances. It doesn't include any supermajority

requirements. It allows for deficit spending to combat an economic downturn. And it takes Social Security out of the equation.

Mr. WISE's substitute comes the closest to working the way the State of Maine works. It is a method which has been successful there and one with which I feel comfortable. While I still have grave reservations about amending our Constitution in this manner, I am persuaded that Mr. WISE's amendment is sound enough that it should be sent forward to the States. The States and the people will make the final determination as to whether this amendment makes economic sense. I believe that upon closer inspection, the people will realize that the balanced budget amendment is not the easy solution that many have claimed.

The Federal Government must put its fiscal house in order. We must do so starting today, not with a promise to do it 7 years from now. I am not convinced that an amendment to the Constitution is a necessary step on the path to achieving that goal, but I am convinced that the people deserve the chance to decide for themselves.

No matter what the outcome of this debate, I am committed to making the difficult decisions required to balance the budget and pay down our Federal deficit. I hope that my colleagues will work with me, starting now, to take the necessary actions.

UNFUNDED MANDATE REFORM ACT OF 19953

SPEECH OF

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 20, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5) to curb the practice of imposing unfunded Federal mandates on States and local governments, to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations, and to provide information on the cost of Federal mandates on the private sector, and for other purposes.

Mr. CUNNINGHAM. Mr. Chairman, I want to discuss H.R., 5, the Unfunded Mandates Reform Act and share with the House the observations of San Diego Mayor Susan Golding. Recently, I had the pleasure to meet with Mayor Golding to discuss this bill and other issues before the Congress.

Mayor Golding provided me with a partial list of current Federal mandates placed on the city of San Diego. She said that besides the up-front costs, each mandate contains a hidden burden of paperwork, record keeping, and reporting. Each of these mandates has some Federal agency reviewing compliance. Moreover, most of these mandates carry penalties for noncompliance.

The most egregious example involves the requirements imposed by the Environmental Protection Agency that the city of San Diego move toward secondary treatment of wastewater. The problem is that the regulations were designed to protect rivers and lakes—fresh water. San Diego, however, has a deep discharge into the Pacific Ocean. The world renowned Scripps Institute of Oceanography has concluded that secondary treatment

is unneeded in San Diego. Yet the Federal Government still insists that the city of San Diego expend some \$1.4 billion to upgrade to secondary treatment, no matter what the best scientists say. After years of litigation, the stalemate continues.

The list of mandates ranges from the obvious to the obscure. To comply with the Americans with Disabilities Act, the city must spend \$100,000. Swimming pool operator training costs \$1,500. The level of sand in sandboxes at city-run tot centers is monitored by the U.S. Consumer Product Safety Commission, costing San Diego taxpayers \$75,000 a year. Reporting requirements for the CDBG program add \$20,000 in costs. Monitoring of groundwater at city landfills costs \$130,000 annually; gas monitoring adds another \$34,000.

No one questions that some Federal regulations are needed. Federal standards for health and safety have saved lives and improved the quality of life for all Americans. If an issue is important enough to demand action by the Congress, then by definition, it ought to be important enough to be funded by the Congress.

The city would meet many of these health and safety standards anyway. The problem arises when the Federal Government issues these mandates, burdening the city with record keeping, paperwork, and the potential for litigation and fines.

We know that H.R. 5 won't solve the problem of existing mandates alone. But it is still vital that Congress pass this legislation. The commission established by H.R. 5 will be chartered to review existing mandates and report recommendations for change to Congress. Further, this bill sends a clear message to our beleaguered cities, counties, and States that this Congress will no longer conduct business as usual.

The experience of San Diego is typical. I know from my discussions with other mayors and local officials that they also shoulder these burdens. In some cases, smaller communities are hit even harder than cities, as they lack the resources and staff to comply with Federal mandates.

Mr. Speaker, as an original cosponsor of the bill, I urge prompt passage of H.R. 5. This bill does nothing to threaten the health and safety of the American people. It is a significant step toward reforming our attitude here in Washington.

CONGRATULATIONS TO THE NATIONAL COUNCIL OF NEGRO WOMEN, INC., AND THE NATIONAL ELDERCARE INSTITUTE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, January 27, 1995

Mr. THOMPSON. Mr. Speaker, I stand before you today to congratulate the National Council of Negro Women, Inc. and the National Eldercare Institute for a historic conference which honored older women. In October 1991, the National Council of Negro Women, Inc., entered into a cooperative agreement with the U.S. Department of Health and Human Services, Administration on Aging, to establish a National Eldercare Institute on Older Women [NEIOW].

The National Eldercare Institute was the brainchild of Dr. Dorothy Height, the president of the National Council of Negro Women, Inc. Dr. Height's vision was to bring issues concerning older women onto a national platform.

A major goal of the NEIOW, 1 of 13 institutes nationwide, is to advocate for the diversity of experience and broad spectrum of needs, issues, and concerns of older women. Collaborative and cooperative relationships were established and maintained with national aging and women organizations, voluntary and professional organization, private businesses, churches, and other entities.

These efforts resulted in the Administration on Aging and the National Council of Negro Women, Inc., National Eldercare Institute on Older Women, sponsoring the first National Conference on Older Women: Challenges in an Aging Society. The conference brought together over 60 organizations and approximately 400 participants working cooperatively to implement the first national conference on older women.

There were five main objectives of the conference: First, offer participants indepth experiential training based on three tracks i.e., consumer/senior advocates, service providers and education research; second, increase awareness of cultural diversity and needs of women; third, expand knowledge of multicultural issues; fourth, improve skills in working effectively in multicultural settings; and fifth, encourage networking with aging specialists and national aging and women's organizations.

Mr. Speaker, I also want to salute Dr. Dorothy A. Idleburg of Hinds County, MS. Dr. Idleburg, currently the director, of the National Eldercare Institute on Older Women, is on leave of absence as associate professor and chairperson of the sociology department and director of gerontology program, Tougaloo College, Tougaloo, MS.

As director of the National Institute on Older Women, Dr. Idleburg took great pride in planning and implementing the national conference held in Washington, DC in September 1993. The institute under the leadership of Dr. Idleburg, continues to serve as an advocate for issues affecting older women.

A PRIVATE RELIEF BILL TO BENEFIT WADE BOMAR

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 27, 1995

Mr. WILLIAMS. Mr. Speaker, today I am introducing a private relief bill to award a \$100,000 injury settlement to Mr. Wade Bomar.

Mr. Speaker, in August 1989 the Pryor Gap fire was burning its way through a national forest in southeastern Montana. Among those battling the fire was an oil refinery worker from Billings named Wade Bomar. Married with three children, Bomar supplemented his income during the summer working as an emergency firefighter with the Bureau of Indian Affairs.

On August 6, 1989, while struggling to slow the progress of the fire, a large tree fell on Mr. Bomar, severely damaging his back and pinning his legs under its weight. After several

operations, it was apparent that the accident had left Mr. Bomar a paraplegic.

It is truly ironic that while Mr. Bomar was fighting the Pryor Gap fire of 1989, Congress was debating the Public Safety Officers' Benefits Act [PSOBA]. This act awards benefits to firefighters and other public safety officers who are permanently disabled as a result of injuries sustained in the line of duty on or after November, 29, 1990. Although Mr. Bomar and his family are exactly the kind of people that this act is intended to help, Mr. Bomar was injured in 1989 and therefore ineligible for benefits under the act.

As a result of Mr. Bomar's injuries, and numerous operations, he has incurred tremendous and unpayable medical bills. And because of the violent nature of the accident, new medical problems continue to arise, calling for more surgery and more debt. Having exhausted all other administrative solutions, Wade and his family live day to day on Social Security disability payments, financially ruined and without hope.

Mr. Speaker, I am introducing this bill today so that an exception might be made to help a man and his family who are very deserving of our help. It is the right thing to do.

A TRIBUTE TO DOUGLAS ROWAND

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 26, 1995

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention the fine work and outstanding public service of Mr. Doug Rowand of Highland, CA. Doug, a dedicated professional and longtime community activist, has recently completed his term as president of the Highland Area Chamber of Commerce.

Doug's accomplishments at the Highland Area Chamber of Commerce are well known. First elected to serve as vice president in 1992, and later elected president, Doug's tenure is marked by a number of impressive accomplishments. His leadership has resulted in increased chamber membership, actively promoted economic development and business retention in the community, held numerous candidate forums, and surveyed the membership on the direction of the chamber. He has also organized a number of successful community events including the Fourth of July parade, the Highland Community Pride Rally, and the annual Christmas decorating contest.

Over the years, Doug has been actively involved in a number of civic and community-based organizations. Last year, he was selected to serve on the board of directors of the Volunteer Center of the Inland Empire and was appointed by the mayor of San Bernardino to serve on the Community Development Citizen's Advisory Committee to make recommendations on community development block grant funds. Since 1991, Doug has served on the board of directors of Los Padrinos, an organization which provides counseling and work experience for hard core gang members and at-risk youth. From 1990 to 1993, he also served on the board of directors of Bethlehem House, a home for abused women and children which was recognized by President Bush and his Points of Light pro-

gram. In addition, he has served on the board of directors of the Arrowhead United Way and the Highland Senior Center.

Mr. Speaker, I ask that you join me, our colleagues, and Doug's many friends in recognizing his many fine achievements and selfless contributions. He has touched the lives of many people and it is only fitting that the House recognize him today.

A TRIBUTE TO DR. LASZLO N. TAUBER

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, January 27, 1995

Mrs. MORELLA. Mr. Speaker, I would like to take this opportunity to pay tribute to Laszlo N. Tauber, M.D., a constituent of mine from Montgomery Country, MD, who resides in Potomac with his wife, Diane. Born in Budapest, Hungary on February 18, 1915 to Gyula and Katica Tauber, Dr. Tauber struggled through the antisemitism of the post-World War I era in that nation.

A graduate of the Jewish High School of Budapest, he was enrolled in medical school in 1932 at the Royal Hungarian University Medical School in Budapest. Antisemitism dominated his life at medical school, where it was typical for students and some professors to taunt and disrupt the lives of the Jewish students. Dr. Tauber remained tenacious, receiving his medical degree in October 1938. With Hungary's entry into World War II, life for the Jews of Hungary disintegrated. Jews were sent to the front battle lines and Dr. Tauber's only brother, Imre, died in a Russian forced labor camp. Miraculously, Dr. Tauber escaped the forced labor camps, deportation and death, surviving in the Jewish ghetto in Budapest along with his wife Lilly Manovill—whom he married in 1940—when more than 600,000 of his fellow Jewish Hungarians did not.

After the liberation of Hungary, Dr. Tauber continued his medical work in Budapest until August 1946 when he received a state scholarship to study neurosurgery for a year in Sweden. Dr. Tauber emigrated to the United States in November 1947, overcame many obstacles and became a well-established surgeon. In 1965, Dr. Tauber, along with many of his colleagues, founded the Jefferson Memorial Hospital in Alexandria, VA. He continued his mission to serve the community, well known never to turn away a patient at his hospital. Through the ensuing years, Dr. Tauber became a part-time developer of real estate and now is believed to be the largest landlord to the U.S. Government, developing the largest commercial office building in Montgomery County, MD.

Dr. Tauber became a philanthropist and humanist. He was in the forefront of opening up the medical profession to minorities and those American students who were forced to study medicine abroad. He soon became a benefactor, giving major gifts to Boston University, Georgetown University Medical School and Brandeis University. He extended generous contributions to the American University and the University of Maryland as well. Additionally, Dr. Tauber has endowed the Tauber Institute for the Study of European Jewish History