

UNFUNDED MANDATE REFORM
ACT OF 1995

SPEECH OF

HON JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 19, 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. COSTELLO. Mr. Speaker, I rise today in support of H.R. 5, the Unfunded Mandate Reform Act of 1995.

I have long supported this legislation and was a cosponsor of mandate relief legislation during both the 102d and 103d Congress. This legislation is aimed at reducing the growing number of mandatory regulations we impose on State and local governments.

These mandates have become a tremendous burden on local officials. As a former St. Clair County board chairman, I understand how Federal mandates can create pressure on State and local governments to raise taxes in order to comply with onerous Federal regulations.

This bill will make it more difficult for Congress to pass bills continuing unfunded Federal mandates onto State and local governments. It would be against the rules of the House to pass any legislation containing any intergovernmental mandate, and would require an analysis of any mandate on the private sector.

In effect, it would prevent the House from passing a mandate except when a majority of Members vote to waive the rules, or if the funding is provided to pay for the mandate itself.

The bill also requires not just the Congress but Federal agencies to assess the effects of Federal regulations on State and local governments, as well as the private sector, and to publish a special analysis before issuing any new regulation which may result in aggregate costs of \$100 million or more. The measure requires each agency to establish a process to ensure local input into the development of regulations with significant Federal mandates, and establishes a commission to review unfunded mandates and provide recommendations on reducing them.

This measure does make exceptions to certain Federal laws which are designed to give basic rights to our citizens. The mandate legislation would not apply to provisions of Federal law or regulations that implement or enforce individuals' constitutional rights, Federal civil rights antidiscrimination laws, or accounting or auditing procedures for Federal grants.

Mr. Speaker, there are some mandates—such as safety standards in the workplace—which should be mandated. However, there is no reason why Congress cannot work with American companies and provide the funding to comply with these mandates.

This mandate relief legislation is long overdue, and I urge my colleagues to join me in supporting this bill.

TRIBUTE TO CAROLYN JOY QUILL

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 2, 1995

Mr. FOGLIETTA. Mr. Speaker, I rise on this occasion to pay tribute to Ms. Carolyn Joy Quill on the occasion of her retirement after more than 28 years of service at the Department of Health and Human Services and its predecessor agency, the Department of Health, Education, and Welfare.

In addition to working at the Department of Health, and Human Services [HHS] headquarters in Washington, DC, Ms. Quill has also served in the San Francisco and Philadelphia regional offices. Since 1989, she has been Regional Inspector General for Evaluation and Inspections in the Philadelphia regional office, where she was Director of an integral program of nationwide policy studies that provided Federal decisionmakers in both Congress and HHS with practical, reliable, and timely information and advice. Ms. Quill has also served in the Office of the Inspector General, the Public Health Service, the Office of Education, and the Social Security Administration.

As is evidenced by her many service-oriented positions, Ms. Quill is extremely active in community affairs. She founded and served as the first president of a local Philadelphia civic association, and in 1990 was honored with a citation from the Philadelphia city council in recognition of her dedication to civic affairs. In addition to these distinctions, Ms. Quill has received numerous Inspector General Achievement Awards, and is listed in the 1988 edition of "Who's Who of American Women." I join with Ms. Quill's friends, family, and co-workers in congratulating her on her retirement.

PROVIDING FOR THE PROTECTION
OF PRIVATE PROPERTY RIGHTS

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 2, 1995

Mr. FIELDS of Texas. Mr. Speaker, along with my colleagues, I am introducing the "Private Property Owners Bill of Rights," to require certain Federal agencies to protect the rights of private property owners in America.

Our Republic was founded upon the ancient and sound principles of ownership, use and control of private property. These principles of stewardship were embodied by our Founding Fathers in the fifth amendment to the Constitution, prohibiting the taking of private property without the payment of just compensation.

Today, a number of Federal environmental programs, specifically the Endangered Species Act of 1973 and section 404 of the Federal Water Pollution Control Act have been implemented by employees, agents, and representatives of the Federal Government in a manner that deprives private property owners of the use and control of their property. The result is that private property owners are being forced by Federal policy to resort to extensive, lengthy, and costly litigation to protect certain basic civil rights guaranteed by the Constitution.

As new Federal programs are proposed that would limit and restrict the use of private property to provide habitat for plant and animal species, the rights of private property owners must be recognized and respected. A clear Federal policy is needed to guide and direct Federal agencies with respect to their implementation of environmental laws that directly impact private property.

Therefore, it is the purpose of this act to provide a consistent Federal policy to encourage, support, and promote the private ownership of property and to ensure that the constitutional and legal rights of private property owners are protected by the Federal Government, its employees, agents, and representatives.

HONORING CAL KLEINMAN

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 2, 1995

Mr. ACKERMAN. Mr. Speaker, I rise today to join with the constituents of my district in honoring Mr. Cal Kleinman, president of Bennett X-Ray Technologies, for his exceptional show of kindness and generosity.

Showing a remarkable combination of spiritual and physical sensitivity, Cal Kleinman traded an \$85,000 cutting-edge mammography machine for a priceless, 300-year-old Torah—a prayer scroll containing the first five books of the Old Testament—that for 50 years had been lying in the basement of a drugstore in a small town less than a mile from the Auschwitz concentration camp. The town desperately needed the medical equipment, but had no way to pay for it. The only thing it had to offer were 18 Torah scrolls that had lain unnoticed since the defeat of Nazi Germany at the end of World War II. Mr. Kleinman jumped at the opportunity to help the developing country and to gain the Torah for his temple.

Through a complex network of deals and negotiations that brought the scroll to New York via Rome, Chicago, and Cincinnati, the first Torah scroll arrived in New York on January 30, 1995. Its permanent home will be Temple Beth Torah in Melville.

Mr. Speaker, I ask all my colleagues in the House of Representatives to join me in honoring Mr. Cal Kleinman for his incredible act of benevolence.

REMEMBERING ELIZABETH MARRA

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 2, 1995

Mr. Speaker, the inevitability of death does not diminish the shock when it arrives prematurely and unexpectedly.

Thus came my friend, Elizabeth Julia (Betty) Marra's death: unexpected, premature, unwelcome.

Those of us who had been her friend through the years, and who, just days ago, had worked with her and experienced her enthusiasm and energy have great difficulty in contemplating her absence.

Betty Marra and I graduated from the same high school—Suitland—two years apart. We were contemporaries. Therefore, more than most, I know she has died too young. We did not know one another in high school, but soon thereafter we became friends as members of the Young Democrats of Prince George's County.

She loved politics and it was a very large part of her life. And in almost every campaign during the past 30 years, Betty was there: involved; leading; following; helping; encouraging; and making a difference.

She had come, like so many of us in Prince George's County, from someplace else. But this was home and this was where she made a difference. She worked for, taught, learned from, and greatly helped so many of us who have been given the privilege and honor of elected public service. From the great chairman of the House Judiciary Committee, Peter Rodino; to Representative Leon Galvin of Pennsylvania; to my friend, Representative Bill Hughes of New Jersey. And, of course, she participated as a member of the staff of the historic Impeachment Inquiry Committee in 1974.

Her longest continuous employment was, appropriately, with her dad—the patriarch of the wonderful Procopio family, which, like Betty, has made such a positive contribution to the life and wellbeing of our community.

Betty always reflected warmth and graciousness of her mother Rose; and evidenced by the love of her brothers: the late Alfonso, Jr., Ray, and Joe, and her sisters, Josephine and Linda. And, I can remember well, Julio as early as the 1960's, and the contribution he has made, as well. Thank you Julio, for what you have meant to so many of us.

Elizabeth Julia Marra was a special person, who reflected what Hubert Humphrey referred to in 1968 as the joy of politics. In talking to her sons, Al and Michael, they commented on that joy she shared. The excitement she derived from and brought to her involvement in the political process at the county, State, and national levels. From precinct official to President were persons she respected for their effort and their commitment.

Betty Marra was contagious. And so many of us caught her spark and carry it with us today. We will remember her and her vitality, her optimism, her drive, her warmth, her faith, her love of life and of all of us.

History chronicles the contributions of a few and we call those individuals famous. Betty was not famous. But, Betty Marra did what all of us should do; she gave freely of her time and talent to make her community and country better. She did what President Kennedy urged each of us to do and she did not "ask what her country could do for her, but what she could do for her country."

And, as she did, she joined the ranks of thousands who have played a part in preserving and protecting the great Nation we love as the "land of the free and the home of the brave." And so, for what she did for each of us; and what she did for me, I say, "Thank you Betty, we miss you."

DATABASE FOR TRACKING VETS' ILLNESSES RELATED TO VIETNAM SERVICE

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 2, 1995

Mr. GEJDENSON. Mr. Speaker, I rise today to introduce legislation which will establish a database within the Department of Veterans' Affairs to track patterns of illness experienced by our Nation's veterans.

In the 1950's, submariners in southeastern Connecticut were treated with radium exposure to the base of the brain. It's only recently that the Federal Government is beginning to recognize that veterans may have significant health problems as a result.

In the 1960's, we sent our troops into Vietnam. It wasn't until years later that troops suffering debilitating diseases as a result of exposure to Agent Orange received help.

In 1990, we sent our troops into the Middle East. It wasn't until the end of the 103d Congress that the mystery illnesses plaguing Gulf War vets were recognized as service-connected disabilities.

The Federal Government is beginning to respond quicker, but our veterans deserve better.

Our troops have just returned from Somalia, and will soon return from Haiti. We do not know if they are sick as a result of their service, but we shouldn't wait for years before we try to find out.

My bill would pro-actively look for health problems in service personnel and veterans beginning with those troops who returned from Somalia and continuing with all combat troops in the future.

It will establish a database in the VA to track disability claims, health screenings and individual phone calls looking for patterns of illness. The database will also include the spouses and dependents of veterans who may be ill due to the veteran's exposure. Finally, the database will be completely confidential and information will only be included with the individual's consent.

When we ask our troops to put their lives on the line in defense of our country, they do not say "we are too busy right now, maybe in a few years." They respond immediately. When they get sick as a result of their service, the U.S. Government has an obligation to respond immediately—not in a few years.

I hope other Members will consider co-sponsoring this important legislation.

RETIREMENT OF JOAN RECK

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 2, 1995

Mr. MURTHA. Mr. Speaker, I would like to take a moment to note the retirement of John Reck, the chairman of the United Steelworkers Association's Pennsylvania legislative committee.

John has spent 43 years with the USWA in Pennsylvania, serving in virtually every elec-

tive and appointive office in the organization. He has served as a member of various boards and commissions in the Commonwealth, and has been instrumental in negotiating labor agreements for the USWA in Pennsylvania.

I would like to take this opportunity to congratulate John and wish him well in his retirement. The USWA loses an important figure with his retirement, but John Reck has made the USWA in Pennsylvania a stronger and more effective organization through his work. His legacy will continue to influence the USWA in Pennsylvania, and his efforts on behalf of steelworkers will be long remembered.

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OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 19, 1994

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. FRANKS of Connecticut. Mr. Chairman, I rise today in support of H.R. 5, the unfunded mandates reform act. H.R. 5 responds to the cries of State and local governments saddled with the financial responsibilities associated with unfunded mandates. We have a situation wherein the Government—meaning Congress as well as executive branch agencies—impose duties upon States and localities, while at the same time refusing to finance the cost of the regulations. Cities across the country continuously report on how their ability to govern and meet budgetary priorities is undermined by our increased tendency to dictate priorities to State and local governments. We must recognize that in a time when funds are limited, the entities most qualified to allocate those funds are the affected local communities.

Opponents of H.R. 5 view the legislation as a mechanism by which current environmental and public health laws will be gutted. However, I see this bill as an attempt to refocus our direction, recognizing that we cannot continue to usurp the authority of States and localities. H.R. 5 forces us to seriously consider the financial ramifications of the legislation we propose each year.

H.R. 5 accomplishes the following: If it is determined that a bill contains an unfunded mandate a point of order could be raised on the House floor which can be waived with a majority vote. This accomplishes the following—for one, we are forced to go on record should we decide to impose an unfunded mandate on States and localities. Second, we are greater informed about the effect that our actions would have. I think that is reason enough for passage of this legislation and I would urge my colleagues to support this bill.