

H.R. 450

HON. DAVID MINGE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Mr. MINGE. Mr. Speaker, on February 24, 1995, Mr. JOHNSON of South Dakota submitted comments regarding the Regulatory Moratorium bill, H.R. 450. I share Mr. JOHNSON's views and wish to restate them for the record. Like Mr. JOHNSON, I believe that H.R. 450 is deeply flawed. I voted for this bill last Friday with the understanding that I will not support the conference report unless the legislation is significantly improved by the Senate or conference committee. I share Mr. JOHNSON's concern that as it now stands, H.R. 450 could result in massive confusion and an enormous amount of unnecessary litigation. It is also possible that if the current language is contained in the final version of this bill, it would interfere with a wide range of needed agricultural rulemaking involving turkeys, hogs, corn, and soybeans. I also share my colleague's concern that depending on the outcome of litigation, the existing language could interfere with rulemaking needed on behalf of the ethanol fuels industry.

The process by which Federal laws are crafted is often perceived as overly heavy-handed, rigid, and inefficient. I am optimistic that this legislation can be modified as it progresses through the legislative process so that its shortcomings are corrected. Unless significant modifications are made, I will not vote for this bill when it returns to the House for final consideration.

FURADAN REGULATION NOT AFFECTED BY REGULATORY MORATORIUM
HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Mr. POMEROY. Mr. Speaker, it is my understanding that the intent of the Government Reform and Oversight Subcommittee on National Economic Growth, Natural Resources and Regulatory Affairs is to exclude the Environmental Protection Agency Final Rule at 40 CFR part 180 titled, "Pesticide Tolerances for 2,3-Dihydro-2,2-Dimethyl-7-Benzofuranty-N-Methylcarbamate," from H.R. 450, a bill that imposes a moratorium on the implementation of regulations issued between November 20, 1994, and the enactment of risk assessment/cost benefit analysis legislation, or December 31, 1995, whichever comes first.

North Dakota has been granted a time-limited tolerance on Furadan CR-10 for use on canola. Furadan CR-10 is considered the most effective insecticide used to control the flea beetle, one of the major threats to canola in North Dakota.

North Dakota produces more canola than any other State and supports canola crushing facilities. Canola is a region-specific crop that when crushed produces one of the healthiest and highest demanded industrial use and edible use oils on the market today.

The initiative by the Environmental Protection Agency [EPA] enables canola producers

in North Dakota and a handful of northern tier States to sell Furadan-treated canola seed to "Canola Crushing Processors" within the United States. Prior to the tolerance, canola producers were required to export treated canola seed to foreign processors, mostly in Canada.

It is my understanding that the regulation meets at least one of the general exclusions established in H.R. 450.

Specifically, the definition of a "rule" excludes the "granting or recognizing an exemption, granting a variance or petition for relief from regulatory requirement, or other action relieving a restriction * * * or taking any action necessary to permit * * * [the] use of a substance or product."

In addition, H.R. 450 specifies that the term "regulatory rulemaking action" excludes:

Rulemaking actions that are "limited to repealing, narrowing, or streamlining a rule, regulation, or administrative process or otherwise reducing regulatory burdens."

Additionally, based on H.R. 450, it would appear that should the Office of Management and Budget be asked to determine whether to exclude or exempt this regulation from the moratorium, that it should do so.

FURADAN REGULATION NOT AFFECTED BY REGULATORY MORATORIUM
HON. DAVID M. MCINTOSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Mr. MCINTOSH. Mr. Speaker, it has been brought to my attention that a handful of northern tier States are concerned about whether an Environmental Protection Agency [EPA] time limited tolerance on furadan CR-10 for use on canola would be affected by H.R. 450, the Regulatory Transition Act of 1995.

It is the intent of the drafters of H.R. 450 to exclude from the regulatory moratorium agency exemptions and other actions that relieve a restriction on the use of a product or process. The EPA Final Rule at 40 CFR Part 180 titled, "Pesticide Tolerances for 2,3-Dihydro-2,2-Dimethyl-7-Benzofuranty-N-Methylcarbamate," fits that exception.

Additionally, the furadan regulation might also satisfy the streamlining exception to the moratorium to the extent it streamlines the burden on producers and growers of canola seeds.

Thus, it is intent of the drafters of H.R. 450, that should the Office of Information and Regulatory Affairs be asked to determine whether to exclude or exempt this regulation from the moratorium, that the regulation should be excluded.

FAIRNESS FOR FILIPINO WORLD WAR II VETERANS
HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Mr. FILNER. Mr. Speaker, I join today in a bipartisan effort with the gentleman from New York, Congressman BENJAMIN GILMAN, chairman of the House Committee on International Relations, to introduce the Filipino Veterans Equity Act of 1995.

Today, we recall the brave members of the Filipino Army who obeyed the order of the President of the United States during World War II. They fought side by side with U.S. forces against a common enemy. They served and died defending the American flag in the epic battles of Bataan and Corregidor and through 4 long years of enemy occupation. They were as much as part of our fighting forces as were soldiers drafted from the States.

But, soon after World War II ended, the 79th Congress enacted the Rescission Act of 1946, denying Filipino Veterans not only the benefits, but also the recognition they so richly deserved. For far too many years, Filipino Veterans have been waiting for the benefits they earned, the benefits that go automatically to other veterans who were exposed to similar hardships. A grave injustice has been done—and now is the time for us to correct this injustice.

Even President Harry S. Truman, who signed the Rescission Act, said it did not release the United States from its obligation to provide for the heroic Filipino Veterans who sacrificed so much during the war. He believed it was a moral obligation of the United States to look after the welfare of the Filipino Veterans—and so do I, and so do my colleagues who join me today in cosponsoring this legislation.

The bullets in World War II did not ask if their target was an American or a Filipino soldier. In 15 years, there will no longer be any of these veterans left alive. Many, until their dying day, were asking, "Do we deserve the 1946 Rescission Act? Didn't we suffer the same suffering as the American soldier fighting the same war?"

We must act and we must act now.

I am especially pleased that two of my colleagues from San Diego County are joining with me today in recognizing the contribution of the World War II Filipino Veterans, Congressmen BRIAN BILBRAY and RANDY "DUKE" CUNNINGHAM.

I urge all my other colleagues to join me in recognizing these brave soldiers and in granting them the benefits they earned and deserve.

CONGRATULATIONS TO FERMILAB
HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Mr. HASTERT. Mr. Speaker, I rise today to inform my colleagues of a scientific milestone, announced this afternoon at Fermi National Accelerator Laboratory in Batavia, IL.

Today, physicists at the laboratory, which is located within my district, announced the discovery of the subatomic particle called the top quark, the last of the six basic building blocks predicted to exist by current scientific theory.

Mr. Speaker, this discovery demonstrates the prominent role the United States and Fermilab play in the field of high energy physics. In addition, it is clear that Fermilab's Tevatron accelerator has established itself as the world's preeminent site for high energy physics research.

The men and women who have contributed to the success of the work of the CDF and DZERO experiment collaborations are to be congratulated. I would also note the positive role played by the Department of Energy in funding this continuing research, and the efforts of Universities Research Associations, Inc. in the operation of Fermilab. We can also not overlook the contributions of the National Science Foundation as well as scientists and additional funding to the project from some 12 other nations worldwide.

Fermilab's success can be shared by all of us in this House who have supported high-energy physics research by our votes. We additionally can be proud that we have assured Fermilab's continued leadership in this field through our support for construction of the main injector.

Mr. Speaker, I am proud today to congratulate Dr. John Peoples and the excellent staff at Fermilab for another great contribution to the advancement of science. They are a valuable research and education resource for the world, this Nation, and my home State of Illinois.

TRIBUTE TO JESSE J. LEWIS, JR.

HON. EARL F. HILLIARD

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Mr. HILLIARD. Mr. Speaker, Jesse J. Lewis, Jr., was a graduate of Miles College, where he obtained a B.S. degree in business administration. He continued his concern for education throughout his life, attending numerous executive continuing education programs at colleges and universities around the country.

Mr. Lewis began his illustrious advertising and communications career in 1979 with Jesse J. Lewis & Associates, where he held several important positions. Under his direction, clients won numerous prestigious awards for advertising, including a telly which is awarded for regional and local television advertising. His unrelenting dedication and leadership enabled his clients to grow and succeed.

In addition to marketing and communications expertise, Jesse worked extensively in the production field. He was chief engineer at the New London Record Studios, where he supervised the production of radio spots, jingles, and custom music for local and national clients.

As a member of the board of directors for the Police athletic Team, the Alabama Ballet Theater, and the Magic City Art Connection, Jesse was actively involved in civic and social work throughout Alabama. He was a member of the National Association of Marketing Developers, the Urban League, the Birmingham Area Musicians Association, and the Metropolitan Business Association. He was also chairman of Special Projects for Toys for Tots, and chairman of the Birmingham Crime Commission.

Jesse passed away suddenly due to a tragic car accident on February 26, 1995. He is survived by his loving mother, Helen; his devoted father, Jesse Lewis, Sr., former president of Lawson State Community College and publisher of the Birmingham Times newspaper; and his brother, James Lewis.

Jesse Lewis, Jr., contributed immeasurably to the communications and business area of the African-American community of Birmingham, as well as to the constructive relationships with diverse business entities for the State of Alabama. Jesse will be greatly missed by family and friends. However, the legacy he leaves behind shall preserve an indelible impression for all of us who came to know and love him.

1994 NARCOTICS CERTIFICATIONS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Mr. HAMILTON. Mr. Speaker, I would like to call to my colleagues attention the President's certifications on cooperation by major narcotics producing and transit countries for 1994, Presidential Determination 95-15.

The Foreign Assistance Act of 1961 requires that the President withhold 50 percent of the assistance allocated to those countries that are major producers of narcotics or major transit countries until he has certified that those countries are either fully cooperating with the United States on narcotics issues or that the national interests of the United States require continued assistance. Countries that are not certified become ineligible to receive virtually all forms of U.S. foreign assistance.

I would like to commend the Clinton administration for its honest attention to the certification requirement. The spirit and the letter of the law had been ignored by successive administrations for many years, largely because of unrelated political concerns. In contrast, the Clinton administration has consistently made objective assessments of the performance of the 29 countries subject to certification on the very important issue of controlling the production and trafficking of narcotics.

I would particularly note the President's decision this year to use the waiver authority of the Foreign Assistance Act to continue to provide assistance to Colombia, despite problems in our narcotics cooperation in 1994. While this decision may have some political consequences in our bilateral relationship with Colombia, it was the right decision. In my opinion, our cooperation with Colombia last year fell short of that which would have justified full certification. However, as the source of over 80 percent of the world's cocaine, and given the enormous threat to Colombia posed by narcotics trafficking, United States national interests are best served by continuing to work with the Colombian Government to address this problem.

Some may argue that addressing the drug problem overseas is a waste of time and money. However, I believe that any effective, comprehensive national drug control program must have an international component. All of the cocaine and heroin in America comes from overseas. We cannot deal with this problem only by trying to stop the drugs at the borders. If we ignore the source and transit countries, the volume of drugs coming to America will increase exponentially.

I believe that we need to do more domestically to reduce the demand for these drugs, and give our law enforcement agencies ade-

quate tools to address the violence that is so often associated with narcotics trafficking. But we also need to attack the production and transit of drugs overseas.

Once again, I commend the administration for its effort in this area and urge my colleagues to review this year's certifications.

INTRODUCTION OF THE EMPLOYMENT ENHANCEMENT REFORM ACT

HON. WILLIAM H. ZELIFF, JR.

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Mr. ZELIFF. Mr. Speaker, I rise today with my colleague JOHN KASICH and 25 of our colleagues to introduce legislation to improve Federal job training.

The present job training situation is a boondoggle of Federal bureaucracy. Hundreds of programs with different rules and administrative structures confuse the people they are intended to help and waste taxpayer money. Currently, States bear the brunt of the conflicting rules, regulations, and definitions from this senseless bureaucracy, and it is there that we must address the reform.

The Employment Enhancement Reform Act will simplify and streamline the flow of Federal job-training dollars to the States to better serve unemployed Americans and hasten their reentry into the work force. The act consolidates over 90 Federal job training programs into one flexible block grant program.

This discretionary block grant will be distributed to the States by formula at the direction of the Secretary of Labor using the formula from the Joint Training Partnership Act. States will have one set of job training definitions and regulations to implement, and one funding stream to monitor. The result: more resources devoted to job training services and fewer dollars being wasted on administrative costs.

My bill will make the broken Federal job training program cheaper, more effective, more efficient, and more flexible. Today each of these 90 programs have different rules, regulations, and definitions. A youth can be any age from 14 to 30. On-the-job training participants have different eligibility rules and reimbursement rates depending on individual programs. This causes chaos for participants, administrators, and auditors.

Instead of hundreds of program regulations, States will have one set of job training definitions and regulations to implement, and one funding stream to monitor. They will have one State-established set of standards and definitions for program success rather than the multitude we have today. The responsibility for financial and programmatic audits will lie with State Governors. Federal philosophies and biases will no longer be mandated over State management of these programs. States will be responsible for demonstrating that funds are being spent effectively and efficiently to implement the goals.

Consolidating the programs will create a pool of funds totaling approximately \$11 billion. From this pool: \$7.6 billion—70 percent—would go to the States through formula grants; \$539 million—5 percent—would be distributed