

## RISK ASSESSMENT AND COST-BENEFIT ACT OF 1995

SPEECH OF

**HON. CARDISS COLLINS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 28, 1995*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1022) to provide regulatory reform and to focus national economic resources on the greatest risks to human health, safety, and the environment through scientifically objective and unbiased risk assessments and through the consideration of costs and benefits in major rules, and for other purposes:

Mrs. COLLINS of Illinois. Mr. Chairman, I have many of the same concerns about H.R. 1022 as I did about the regulatory moratorium bill and the unfunded mandates bill when they were considered on the House floor. Rather than improving the efficiency of Government, these bills establish complex procedures and endless possibilities for legal challenge.

Each of these bills, for example, provides for judicial review of agency decisions. This simply means that clever lawyers can tie up regulations and other agency actions in litigation for months, even if an agency thinks it has acted within its authority.

This is an especially critical problem for health and safety matters that may need to be exempted from requirements risk assessment, cost benefit analysis, and peer review under H.R. 1022. With the courts looking over their shoulders, agencies may be inhibited from acting quickly when quick action is needed to save lives.

I do not believe that making it more difficult for agencies to protect the public health and safety is something the American people, nor I hope most of my colleagues, would support.

I also believe it is wrong to force all regulations to go through the same type of risk assessment, cost-benefit analysis, and peer review, as provided in H.R. 1022.

If we let risk assessment become our goal, rather than a tool to achieve our goal, then risk assessment itself can be harmful and an obstacle to serving the public interest.

What happened in the early years of the AIDS outbreak is a good example. In the early 1980's, a few scientists proposed that AIDS could be transmitted to others through transfusions of blood from a person with the AIDS virus.

The Food and Drug Administration and the blood products industry thought there would be alarm and panic, if the public were warned of this possibility. Instead, they insisted they had to be absolutely sure before they could say anything publicly.

As a result, all kinds of risk assessments were done—Comparison risks, substitution risks, as well as cost benefit analysis. For more than 2 years, the proposal that AIDS could be transmitted through transfusions was analyzed before evidence was so overwhelmingly conclusive, that the FDA and the blood products industry finally issued their warnings to the public.

During that 2-year period, tens of thousands of people were exposed to AIDS contaminated blood. Had the blood banks initiated their policies earlier to screen for AIDS contaminated blood, countless lives could have been saved.

The lesson to be learned from the FDA's experience is that agencies need flexibility. A one-size-fits-all approach to risk assessment and cost benefit analysis can be harmful and contrary to the public interest. We need to be encouraging agencies to evaluate possibilities, but we do not want to insist that they continue to perform risk assessment and cost benefit analysis in order to satisfy some requirement of law, when what they are looking for might be right in front of their eyes.

For this reason, I oppose H.R. 1022 and believe that rather than reducing regulatory burden, its most significant effect will be to prevent Federal agencies from performing their most important function: protecting the public health and safety.

I urge my colleagues to oppose this legislation.

## SUPPORT FOR FEDERAL NUTRITION PROGRAMS

**HON. TIM JOHNSON**

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 3, 1995*

Mr. JOHNSON of South Dakota. Mr. Speaker, today I wish to express my strong support for our Federal nutrition programs—especially the school breakfast and lunch programs and the WIC program. I am very concerned about the Republican proposals to dismantle these programs, decrease their funding, and change their very nature.

It is inexcusable that so many children in this Nation live in poverty and that we have one of the highest infant mortality rates of any industrialized country in the world. We must make an aggressive effort to direct our limited resources towards our most precious resource—our children.

The WIC program is one of the very few Government programs that has been recognized as a success by people from all parts of the political spectrum. Studies have shown that WIC reduces low birthweight babies, premature births, and infant mortality. Every dollar spent on WIC produces a savings of between \$1.77 and \$3.13 in Medicaid expenses. Similarly, the school breakfast and lunch programs have been proven to be very effective. It has long been recognized that hungry children are unprepared to learn, and for this reason school nutrition programs have enjoyed bipartisan support for years.

Mr. Speaker, while I am well aware of the fact that we need to examine all Government programs to ensure that Federal funds are being spent effectively and to work towards our goal of a balanced budget, I am quite concerned about the Republican proposals affecting nutrition programs.

I am very concerned about the effect of replacing Federal programs such as these that are recognized as effective with 50 different State programs. If our goal is to reduce bureaucracy, how does creating 50 new programs help meet that goal?

In addition, if we are seeking to reduce costs, why does the Republican proposal repeal the competitive-bidding requirement for the selling of infant formula to WIC? This provision has contained costs in the program by cutting the cost of providing formula by nearly \$1 billion in 1993—nearly a two-thirds reduc-

tion in the program's expenses. Repealing this provision will take a billion dollars of the taxpayers' money and turn it over to four pharmaceutical companies. Is this really the best use of our limited resources?

I am also concerned about the elimination of Federal nutrition standards. These standards have improved the nutrition and health of low-income families and help ensure that our children have access to healthy meals at school. We have no assurance that these standards will continue to be met at the State level—what will keep us from returning to the days of "ketchup as a vegetable?"

Finally, I am concerned that the block grant approach to school breakfast and lunch programs will shut needy children out of the program and reduce the ability of the program to respond to increases in the school-age population, inflation of food prices, and/or changes in the economy. USDA estimates that my State of South Dakota stands to lose over \$28 million from child nutrition programs from fiscal year 1996–2000.

I ask my colleagues to think long and hard about making such drastic changes to programs that work—is it really good policy to experiment with the health and well-being of our children to pay for tax cuts for the wealthy?

IN HONOR OF CHARLES KERR,  
IRISHMAN OF THE YEAR, 1995**HON. ROBERT MENENDEZ**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 3, 1995*

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to Charles Kerr, Irishman of the Year, 1995, who will be honored at this year's St. Patrick's Day parade in Jersey City. Mr. Kerr is among the many Irish-American men and women who have helped make this country great.

The Irish have been immigrating to the United States since the early part of the 19th century. In that time, they have made many contributions to this country. They have distinguished themselves at every level of American society. As Irish-Americans have built their businesses, so have they contributed to the economic prosperity of this Nation. As they have grown politically, they have contributed to government on the local, State, and national levels. Their devotion to family and friends demonstrates that much can be accomplished when people work together in harmony.

At home, Irish-Americans have worked hard to protect all of us from crime and fire. They have put their lives on the line to help ensure the safety of their fellow citizens. The long, proud tradition of Irish police officers and firemen scarcely needs to be mentioned. However, the Irish have not only been good neighbors at home, they have also put their lives on the line when they have fought to defend this Nation against our foes in every major conflict over the last 200 years.

Charles Kerr is part of this great Irish-American tradition. He was born and raised in Jersey City. His parents lived there for 90 years. Throughout his life, he has made many contributions to the community and has been actively involved in the religious community.

Mr. Kerr fought bravely in the Korean war. In 1969, he started his own business. He was president of Kerr Electric for 25 years, yet, he still found the time to participate in the community. Mr. Kerr was the first president and organizer of the New Tammanee Club in downtown Jersey City. He was also the last president of the Original Monkey Club, the oldest social club in Jersey City.

As we celebrate St. Patrick's Day, let us remember all of those Irish-American men and women who have made a difference in the United States. This is a day for us to acknowledge their achievements and feel proud to have them in the United States. This holiday is an excellent opportunity to pay tribute to Irish-Americans; past and present.

#### TRIBUTE TO PRIYA KARIM HAJI

### HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 3, 1995*

Ms. ESHOO. Mr. Speaker, I rise today to honor Priya Karim Haji and her upcoming induction into the San Mateo County Women's Hall of Fame.

Priya Karim Haji is only 24 years old and has already made remarkable contributions to our community. Currently she is the executive director and cofounder of Free at Last Community and Rehabilitation Services, which is an organization providing drug and alcohol recovery programs. While in college, Ms. Haji developed a comprehensive after-school activities program for high school youth, helped to found a free medical clinic, and organized a Midnight Basketball League. In addition, she served as a facilitator for a weekly substance abuse group at San Quentin Prison, volunteered with the County AIDS Program, and worked as a substance abuse counselor for Links to Positive People.

Mr. Speaker, Priya Karim Haji is an outstanding citizen, and I commend her for her remarkable commitment and contributions to our community. I ask my colleagues to join me in saluting her as she is being inducted into the San Mateo County Women's Hall of Fame.

#### IN MEMORY OF SISTER ANN GILLEN

### HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 3, 1995*

Mr. SMITH of New Jersey. Mr. Speaker, as chairman of the Commission on Security and Cooperation in Europe, I would like to call the attention of my colleagues to the recent passing of Sister Ann Gillen, one of the leading human rights activists on behalf of persecuted Jewish dissidents and refuseniks in the former Soviet Union. A member of the Society of the Holy Child Jesus, Sister Ann served for 15 years as executive director of the Interreligious Task Force for Soviet Jewry. On numerous occasions, she traveled to the former Soviet Union to visit and support Jewish refuseniks and the families of political prisoners. In addition, Sister Ann was a frequent attendee at international human rights fora. An unwavering supporter of the Conference on Security and

Cooperation in Europe, Sister Ann served as a leader for several human rights delegations to the Belgrade, Madrid and Vienna CSCE Review Conferences where she urged political figures and diplomats to press the Soviets to live up to their own obligations under the Helsinki Accords and other international agreements.

Sister Ann was a woman of action when responding to the plight of Soviet Jews. In 1979, Sister Ann offered her own freedom to the Soviet Government in exchange for the release of long-time refusenik Ida Nudel. Needless to say, the Soviets refused, but her gesture helped dramatize Ida Nudel's plight to the world and bring additional pressure on Kremlin leaders to allow Nudel to emigrate. In 1982, Sister Ann was one of three human rights leaders to serve an historic Writ of Habeas Corpus on the Soviet Consul in Washington, DC for Andrei Sakharov. In 1989, while attending the Sakharov International Human Rights Conference in Moscow, Sister Ann publicly urged Soviet leaders to end state regulation of religion.

Long before others were encouraged to speak out on behalf of religious liberty and long before religious organizations collaborated on issues such as these, Sister Ann crossed ecumenical lines and reached out to persecuted, imprisoned human beings of all faiths—and in particular the Soviet Jews—to bring them hope and to fight tirelessly for their rights. Even in the last days of her life, Sister Ann did not think of her own pain, but of the suffering of religious believers around the world as she continued to plan conferences and projects that would go on after her own work had ended.

Sister Ann's fellow campaigner in the struggle for Soviet Jewry, Union of Councils President Pamela Braun Cohen, was certainly correct when she said, "No doubt thousands of Soviet Jews owe their freedom to Sister Ann's tireless efforts."

Dr. Kent Hill, President of Eastern Nazarene College and an expert on religion in the former Soviet Union, described Sister Ann as "a tireless, selfless, and effective advocate of those who suffered because of their religious convictions."

In an award presented to her by a coalition of human rights organizations just prior to her death, Sister Ann was honored with these words: "All of us who are novices in this work are very grateful for the paths that you have paved for us. This small token of our admiration pales in contrast to the contributions that you have given to make the world more humane. Perhaps, someday, we, following your example, may demonstrate the same depth of devotion and be a role model to other human rights activists."

Mr. Speaker, Sister Ann exemplified the finest qualities of her faith and her religious order as she reached across ethnic and religious boundaries to rescue strangers in distress. Her many friends and associates, and those who benefitted from her tireless efforts, will cherish her memory.

#### TRIBUTE TO LISA MARJORIE COAR

### HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 3, 1995*

Ms. ESHOO. Mr. Speaker, I rise today to honor Lisa Marjorie Coar and her upcoming induction into the San Mateo County Women's Hall of Fame as a Young Woman of Excellence.

Lisa Marjorie Coar is a remarkable person who serves as a role model for everyone in our community. She is a 4.0 student at Burlingame High School, a member of its tennis team, the student body liaison to the Burlingame Human Relations Commission, and the student representative to the San Mateo Union High School Board of Trustees. Ms. Coar also plays an active role in the Black Student Union, volunteers with an afterschool day-care program, and serves food to the homeless. In addition, her achievements include being selected as a Girl's State Delegate, a National Achievement semifinalist, and the recipient of both the Edward Teller Award for Academic Excellence and the Xerox Humanities and Social Science Award.

Mr. Speaker, Lisa Marjorie Coar is an outstanding citizen, and I commend her for her remarkable commitment and contributions to our community. I ask my colleagues to join me in saluting her as she is being inducted into the San Mateo County Women's Hall of Fame as a Young Woman of Excellence.

#### PAYING TRIBUTE TO THE WINNERS OF THE 1995 GOVERNOR'S AWARD FOR BUSINESS AND EDUCATION PARTNERSHIPS

### HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 3, 1995*

Mr. DAVIS. Mr. Speaker, it gives me great pleasure to rise today to pay tribute to some outstanding citizens from the 11th District of Virginia. These are the people who have achieved the Governor's Award for Business and Education partnerships with Northern Virginia Community College [NVCC].

Richard A. Patterson, president of the Rosenthal automotive organization is a 22 year veteran of the automobile business. He has been with the Rosenthal organization for 14 years, where as CEO, he has strongly influenced development of the company's training and education.

The Rosenthal automotive organization, the Capital area's largest group of automobile dealerships, has made a significant contribution to the Arlington/Alexandria Cultural Center at Northern Virginia Community College [NVCC].

Dr. Semmler has been a professor of mathematics. He has authored or coauthored seven books in mathematics and has received numerous awards, including the Governor's Award from NVCC in 1991; the Once in a Century Award from Plattsburgh State University in 1990; and the Diploma of Honor Award from Pacific Western University in 1992.

Dr. Semmler has been a major contributor to Northern Virginia Community College for