

the forefront of the development and utilization of technology in education. For instance, through WJCT's National Teachers training Institute in Math, Science, and Technology, our local teachers learn the latest techniques for using technology in the classroom.

Programs like "Reading Rainbow," Sesame Street," and "Mr. Rogers' Neighborhood" are seen by school children and preschoolers in our community every day. Helping to prepare youngsters for school, and enhancing their education once they start school, are among public television stations' and our community's highest priorities.

Federal dollars are extremely important to these stations. Without them, WJCT's "Radio Reading Service for the Blind and Visually Impaired," and captioning of regularly televised local government meetings for the hearing impaired would not be possible. WCEU would not be able to produce programs like "Mathline," a pilot project, which trains teachers in the latest mathematics techniques. WMFE could not provide programming for public school systems in grades K-12, audio reading services for the visually challenged and print disabled, and public affairs shows like "Opinion Street." WUFT's daily half-hour News Five broadcasts, local television programs like the weekly "North Florida Journal" public affairs television programs, and the weekly minority affairs series "Reflections" would have to be reduced or eliminated.

Public radio and television provide these and many other services nationwide at the remarkable low cost of \$1.09 annually per person. On the local level, Federal funds make up approximately 14 percent of WJCT's budget, 17 percent of WFME's budget, 20 percent of WUFT's budget, and 34 percent of WCEU's budget.

"Privatizing" public broadcasting means commercials, and dollar-driven programming, which would radically change the face of this unique broadcasting medium. If instructional/educational broadcasting could generate high profits, public broadcasting already would have become a commercial venture.

As representatives of the people, we must be constructive, creative, and cost-efficient in achieving our national goals of good education and the opportunity for rich cultural resources for all of our citizens. If we realistically evaluate what public broadcasting actually offers to our communities, I believe that we will see the value of continued funding for this very cost efficient and successful, national educational and cultural institution. Thank you for allowing me this time to tell you about the importance of continued Federal funding for public broadcasting for my constituents in the cities of Jacksonville, Gainesville, Daytona Beach, and Orlando.

TRAVEL TIME IN COMPANY VEHICLES

HON. HARRIS W. FAWELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. FAWELL. Mr. Speaker, today I am introducing legislation which will ensure that the Portal-to-Portal Act and the Fair Labor Standards Act are not misinterpreted by the Department of Labor [DOL] and the courts in such a

fashion that employers are required to compensate employees for their use of company vehicles in their commutes.

The use of company vehicles by employees is pervasive in many industries. Police departments, air conditioning contractors, heating oil retailers, plumbers, and carpet cleaners all provide vehicles to their employees. This is generally seen as a benefit to the employee who is able to carry personal tools and equipment in a company vehicle to the first job site, without having to physically check in at the company office. The employee also does not have to buy a vehicle for commuting and saves money on gasoline.

Despite the clear benefits to the employee from this practice, DOL has indicated that employers should pay employees for time spent in company vehicles commuting to the first job site. Last year, after some pressure from several members of this body, DOL agreed to stop enforcing the policy pending a departmental review. This policy would create additional paperwork for the employer and increased employers costs, with the end result of generally discouraging this practice. Many employers may then decide to arrange the central storage of all the vehicles and to require the employee to pick up the vehicle in the morning, transfer his or her tools into the company vehicle and drive to the first job site. At the end of the day, the employee would then have to return to the company, transfer the tools back to his or her vehicle and drive home. This alternative clearly does not benefit the employee.

The longstanding practice utilized by employees and employers works well and benefits both parties. My legislation would make it clear that the use of a company vehicle by an employee for commuting from home to the first job site and from the last job site to home does not require the employer to compensate the employee for commuting time. I look forward to enacting this legislation in the 104th Congress.

COMMON SENSE LEGAL STANDARDS REFORM ACT OF 1995

SPEECH OF

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill H.R. 956, to establish legal standards and procedures for product liability litigation, and for other purposes:

Mr. STOKES. Mr. Speaker, I rise in strong opposition to H.R. 956, the Common Sense Legal Standards Reform Act of 1995. While I agree that some reform of our Nation's product liability laws may be appropriate, this legislation goes too far, favors producers of dangerous products too much and provides too little protection for ordinary citizens. I cannot support this effort to significantly curtail Americans' rights to seek redress in the courts when they have been needlessly injured, maimed, or killed by dangerous products.

This dangerous and hurried legislation will not only fail to truly reform the product liability litigation laws that need reforming, but will endanger the American public by stripping away the most important checks and balances sys-

tem Americans have—the American judicial system. It would be the height of irresponsibility for Congress to take from the American people their ability to protect themselves, their families and loved ones from dangerous products.

The bill before us today, the Common Sense Legal Standards Reform Act of 1995, will not only attempt to undo many of the important accomplishments of the U.S. Congress, Federal agencies and over 200 years of American common law, but also seeks to undermine many of our Nation's most important mechanisms to enhance safety for all Americans.

The stated purpose of the Common Sense Legal Standards Reform Act is to impose on State and Federal juries limits on the amount of punitive damages of \$250,000. It also imposes on States, Federal standards for all product liability lawsuits. Additionally, the bill contains several special interest exceptions for drug companies and aircraft manufacturers in addition to other friends of the new majority.

While I agree that Congress should investigate reforming products liability litigation, this proposed measure goes well beyond the legitimate objective of balancing responsibilities and risks. In fact, this bill is specifically designed to inhibit the will of the people by creating artificial special interest exceptions, and obstacles for injured and maimed citizens who seek redress in the courts. The current majority has long sought to weaken, if not totally eliminate, Americans ability to protect themselves in the courts.

Supporters of H.R. 956 have argued, and I agree, that most products produced in this Nation are the safest, highest quality products produced in the world. Yet, the fact remains that too many dangerous products exist. When injured by one of these dangerous products, Americans' last recourse is the American judicial system.

Proponents of this bill have argued that curtailing citizens' rights to open access to the courts is justified because there has been an explosion of product liability litigation. This argument is simply not supported by the facts. According to the "1992 Annual Report of the National Center for State Courts," the actual number of product liability claims is extremely low, a mere 4 percent of all personal injury cases. The evidence shows that products liability cases represent only .0036 percent of the total civil caseload in State and Federal courts.

There has been no explosion in products liability lawsuits as republicans assert. Excluding asbestos cases, the number of product liability cases filed in Federal courts between 1985 and 1991 actually declined by approximately 35 percent, from 8,268 to 5,263. The only significant increase in litigation over the past few years has not taken place in the area of products liability. It has been caused instead by large corporations suing other large corporations. A 1990 study reveals that corporate contract cases increased 232 percent and make up more than 18 percent of all civil cases as opposed to .0036 percent for product liability cases.

Another artificial justification for passage of H.R. 956 has been the alleged explosion in the frequency and size of punitive damages awards. The fact is, courts rarely award punitive damages. A 1993 Suffolk University law

school and Northeastern University study found that only 355 punitive damage awards were granted in product liability cases between 1965 and 1990. Only 20 percent of those 355 cases were affirmed on appeal. The research also shows that the vast majority of companies subject to punitive damages awards between 1965 and 1990 took some post-litigation steps to make their products safer. Without punitive damages many products would simply be more dangerous. Clearly, the current system of checks and balances system is working.

H.R. 956 will have a devastating impact on the children and elderly of this Nation. The limitation of damages awards places children and elderly at an especially significant disadvantage. Since compensatory damage awards are based solely on economic loss, these individuals can prove few tangible economic damages because they generally do not work, or work for small salaries, and would therefore not receive nearly as much compensation as the rich, who bring home big paychecks. This result would be fundamentally unfair to thousands of Americans, and would constitute an extreme injustice to the youth and elderly of our Nation.

I hope that no one in this House would want to increase the risk of disease, injury, and premature deaths caused by exposure to dangerous products. But that is exactly what H.R. 956 would do. This bill, in concert with H.R. 988, the Attorney Accountability Act of 1995, would slam the doors of the courthouses of this Nation in the faces of the American public. In my 27 years in congress I have seen few more obnoxious measures, that so cruelly and unfairly places a substantial burden on the American public.

This bill will also compromise citizen and worker safety. Last year, over 10,000 American workers died in the workplace. Another 70,000 were permanently disabled, and more than 100,000 contracted fatal occupational illnesses. H.R. 956 will greatly inhibit our citizens' ability to protect themselves from unsafe products, dangerous working conditions and avoidable disasters. I cannot in good conscience endanger American workers by supporting this bill.

In addition to endangering the health and lives of Americans, approval of H.R. 956 would not result in additional enhancement in competitiveness or innovation. The differences between the U.S. product liability system and the legal systems in other countries do not provide foreign manufactures with a competitive advantage. All companies are subject to the liability laws of the country where a product is sold or where the injury is incurred. Therefore, there is no significant harmful effect on American competitiveness as a result of the American products liability system.

Contrary to representations of proponents of H.R. 956, no real evidence has ever been presented that supports the claim that products liability laws have a chilling effect on business innovation. In fact, the current products liability system enhances innovation by providing a significant incentive for companies to develop safe products.

Mr. Speaker, this legislation is unprecedented in its scope and cynicism. Few areas of State and Federal products liability litigation will be unaffected by this measure, yet, with very little opportunity for open hearing, and with severely limited debate, this act has been

placed before us. The rule under which this bill has come before us is so draconian that many members with reasonable and bipartisan amendments will not be heard. A measure of this kind requires detailed analysis of the impact it may have on the American people, but no such review has or will take place. In the current rush to force this bill to the floor of this House, the will of the American people will certainly be compromised.

Furthermore, this legislation would remove from the wise discretion of State and local governments the determination of how to handle products liability litigation. My colleagues on the other side of the aisle have often claimed that they favor retracting the tentacles of the Federal Government from local people, who best know and understand the issues they face. Yet, this bill flies in the face of this often touted Republican ethic. H.R. 956 strips from local communities the ability to establish products liability standards. This modification of the products liability laws by Federal mandate is unjustified, ill-advised and will lead to injustice for working and middle-class Americans.

Mr. Speaker, it is my belief that H.R. 956 and the circumstances under which it is presented in this house is an attempt to mislead the American people to believe that meat cleaver, simplistic solutions will end the fictional "avalanche of litigation" so often mentioned by supporters of this bill. As the facts have shown, evidence clearly establishes that this bill has been pushed on us all under tragically false premises.

As our Nation faces an epidemic of joblessness, poverty, and economic troubles, the solution to these problems will not be found in quick fixes like H.R. 956. The American people elected us to act in their best interest, not compromise their welfare because congress does not have the will to permit Americans to protect themselves from dangerous products. I urge my colleagues to vote against this bill.

DADE COUNTY'S OUTSTANDING WOMEN HONORED

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mrs. MEEK of Florida. Mr. Speaker, it is my great pleasure to join with the city of Miami Commission on the Status of Women in recognizing the achievements of eight talented women who are among Miami's most outstanding leaders.

The women to be honored this year are as inspiring as they are dedicated. They are outstanding women who make major contributions to our community every day but seldom make the evening news. They come from every part of our community, yet they share a common bond—service.

This year's honorees are:

Mercee Woods Adderly, Model City volunteer par excellence, who helps to provide our youth with sound guidance and assist Haitian adults in making the adjustment to the United States;

Maria Elena Dellutri has worked with physical and mentally challenged individuals and poor children throughout Dade County;

Detective Therese Homer is a pioneer in domestic violence awareness and victim awareness intervention programs;

Sallye E. Jude, a leader in historic preservation including the revitalization of the Miami River area;

Joann Monroe, an advocate for children's education and welfare through Head Start Programs;

Rosalie B. Pincus, a caring and devoted high school counselor who teaches to touch a life, not just to make a living;

Suzette S. Pope, an extraordinary volunteer who has been a long-standing and faithful volunteer in service to the elderly;

Dr. Majorie P. Wessel has waged many battles against discrimination to bring about sports equity for girls and women.

Mr. Speaker, this event is a celebration of unity in diversity and provides an opportunity for women in Miami from all generations, racial and ethnic groups, socioeconomic levels and occupations to get together, exchange ideas, and share their vision and experience.

I am happy to join with our entire community in recognizing this year's honorees.

REMEMBERING TIM SULLIVAN

SPEECH OF

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 13, 1995

Mr. PALLONE. Mr. Speaker, thousands of people in Monmouth, Ocean, and Middlesex Counties, New Jersey, were helped over the years by a dedicated public servant whose name most never knew. This public servant worked tirelessly and without personal gain or recognition assisting veterans, Social Security beneficiaries, students, and others on critical personal problems. He helped mayors and councilmen fix bridges, dredge waterways, and restore downtown areas so that men and women could work and the Jersey Shore could prosper.

Timothy F. Sullivan, this public servant in the truest sense, died Saturday of a heart attack. For 17 years, from 1965 to 1982, he was administrative assistant to Representative James J. Howard, former chairman of the House Public Works and Transportation Committee.

When Jim Howard, my distinguished and accomplished predecessor, won an uphill battle for Congress in 1964, he had the good judgment to ask Tim, his good friend, fellow teacher, and campaign advisor, to come to Washington as his chief aide.

Because Democrats were rarely elected in that old Third Congressional District on any level, Jim Howard's prospects for reelection were less than bright. But Jim and Marlene Howard had been eager to take the risk and their enthusiasm was catching.

Tim and his wife, Marilyn, pulled up stakes with six young children. Tim quit his job and came to Washington to begin his long career as a trusted advisor and manager, taking the heat over the years when necessary but not claiming the credit when it was his due. He kept Jim Howard's office on an even keel through tough elections and crises in the district like life-threatening coastal hurricanes and