

the barriers for millions of disabled men, women, and children.

I wish to submit for the RECORD the following editorial from the San Francisco Chronicle paying tribute to this great American, and good friend.

[From the San Francisco Chronicle, Mar. 18, 1995]

#### THE TRANSCENDENT LIFE OF EDWARD ROBERTS

"What I want and a lot of other disabled people want is to live, to experience, to be a part of society. And that's nothing extraordinary. So when we do things and do become successful, it doesn't make us different from any other successful person."

Even though it was not what he was seeking, Edward Roberts died a hero at age 56 this week, having lived up to such admiring sobriquets as "the Gandhi of disability rights" and "the Cesar Chavez for the handicapped."

A budding athlete who became a paraplegic at age 14 from polio, Roberts was an in-your-face kind of guy because society gave him no other choice. When his principal balked at graduating Roberts from high school because the teenager hadn't completed required physical education courses, Roberts fought the decision with such vigor that the principal was forced to relent.

When a counselor at the state Department of Rehabilitation sided with the University of California in denying Roberts admittance to Berkeley because the school had never had a wheelchair-confined student who required a respirator and iron lung, Roberts argued until he was enrolled. He lived at Cowell Hospital and later organized successfully for dormitory housing for disabled students.

He co-founded the Center for Independent Living at Berkeley, which promoted the idea of integrating disabled people into the mainstream and making available to the disabled such essentials as housing, transportation and wheelchair-accessible ramps and curbs. The establishment of 400 similar centers nationwide followed.

Roberts' longtime work received official affirmation when Governor Jerry Brown appointed Roberts to head the California Department of Rehabilitation in 1975. He was a familiar sight in Sacramento in his motorized wheelchair, and his presence alone helped many lawmakers understand for the first time the needs of people who desperately seek independence—despite not being able to use either arms or legs—and yet are constantly stymied by thoughtless policies.

In 1984, Roberts received \$225,000 in a MacArthur Foundation "genius" award for his work with the disabled, and he created the World Institute on Disability, an Oakland-based think tank on disability issues with a \$3.3 million budget.

Roberts' life was not only heroic, because of the many personal obstacles he overcame, but in the end, transcendent, because of the way he helped transform the way we think about and act toward disabled people.

"As an international leader and educator in the independent living and disability rights movements, he fought throughout his life to enable all persons with disabilities to fully participate in mainstream society," said President Clinton. "Mr. Roberts was truly a pioneer . . . His vision and ability to bring people together should be an example for all Americans."

A memorial service will be held at 1:30 p.m. tomorrow at Harmon Gymnasium on the UC Berkeley campus. Memorial endowments have been set up for Roberts' son, Lee, and for the institute. Contributions may be sent to the institute at 510 16th Street, Oakland, CA 94612.

#### THE INNOCENT LANDOWNER DEFENSE ACT OF 1995

### HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 21, 1995*

Mr. WELDON of Pennsylvania. Mr. Speaker, the purpose of the Innocent Landowner Defense Act is to clarify what is required by "all appropriate inquiry into the previous ownerships and uses of the property" as contained in the 1986 Superfund Amendments Reauthorization Act (SARA) to Superfund.

The 1986 SARA amendments included several exemptions for the liability of site clean-up—an important one being the innocent landowners defense provision. This provision allows for an exemption of liability to a landowner who has not contributed to the contamination of a site and has made all appropriate inquiry into the previous uses of the property.

The intent of the innocent landowner defense was to encourage the uncovering of contaminated sites which could then be cleaned up. It was meant as a narrow exception to protect those considering the acquisition of land from future liability. Unfortunately, the definition of all appropriate inquiry was never made clear in the SARA legislation, resulting in confusion as to the requirement for assessing a site for contamination. This lack of clarification has left the land purchaser with a dilemma. Even the most expensive and extensive site assessments may not prevent the landowner from later being held liable for contamination.

The Innocent Landowner's Defense Act is designed to define what is meant by "all appropriate inquiry," putting an end to the confusion and allowing landowners to protect themselves from liability. Specifically, this legislation calls for a phase I environmental audit—an investigation of the property conducted by an environmental professional—defined in the legislation to discover the presence of hazardous substances through the following sources: (1) chain of title documents for the past 50 years; (2) available aerial photographs of the property; (3) Superfund liens against the property; (4) Federal, State, and local government records of activities causing release of hazardous substances; and (5) a visual site inspection of the property. If these criteria are met, an individual would be recognized as having conducted all appropriate inquiry.

This legislation in no way changes the liability scheme of Superfund. It is a clarifying correction which enables courts and potential landowners to determine exactly what is needed to fulfill all appropriate inquiry requirements. Not only will this legislation clear up a very confusing situation, but it will restore the original intent of the innocent landowner defense—it will encourage the testing of sites for contamination, increasing the likelihood that contaminated sites will be found and cleaned up.

This legislation provides the guidance crucial to assessing the risk associated with hazardous waste sites. It would allow for the realization of the original goals of the Superfund legislation, while leaving the original statute unchanged in terms of liability.

#### PERSONAL EXPLANATION

### HON. TOM A. COBURN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 21, 1995*

Mr. COBURN. Mr. Speaker, due to travel delays on Tuesday, March 14, I unavoidably missed several votes. Had I been present, I would have voted "aye" on the passage of the following bills: H.R. 531, H.R. 694, H.R. 562, H.R. 536, and H.R. 517.

#### EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR ADDITIONAL DISASTER ASSISTANCE AND RESCISSIONS FOR FISCAL YEAR 1995

SPEECH OF

### HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 15, 1995*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1158) making emergency supplemental appropriations for additional disaster assistance and making rescissions for the fiscal year ending September 30, 1995, and for other purposes:

Ms. PELOSI. Mr. Chairman, I rise today to express my opposition to the Republican rescissions bill before us. With this bill, the Republicans end the war on poverty and declare war on the poor, instead. I am saddened that my Republican colleagues have turned their energy, their fervor and their fury toward attacking the most vulnerable among us. I note with particular concern the impact of the proposed funding cuts on housing programs designed to help the neediest and the most vulnerable in our society, children, the elderly, the disabled, and people with AIDS.

More than 40 percent of the cuts in this bill come from low-income housing programs. The \$7.2 billion in Department of Housing and Urban Development [HUD] cuts equals 1/4 of HUD's total budget. HUD estimates that the rescissions will affect 530,000 elderly households and 630,000 families with children. The complete elimination of the Housing Opportunities for People with AIDS [HOPWA] program will deprive at least 50,000 people with AIDS and their families of much-needed housing assistance. Public housing takes a direct hit. Efforts to improve public housing facilities and in some localities, to demolish unfit buildings and replace them, will be stopped dead in their tracks.

The cuts in the low income housing preservation program will result in the displacement of countless low income families from affordable housing. Estimates of the impact of losing preservation funds range from a low of 27,000 families losing their apartments to a high of 75,000. In most of the affected communities, there is no other housing available for these families. The affordable housing stock is disappearing at an alarming rate and these cuts will only hasten the process. Where are these people supposed to live?

At the same time that these important programs are being cut, the Republicans are also cutting incremental rental assistance, the Section 8 Program. The funds the Republicans

are taking away would have provided 67,000 more families with housing certificates and vouchers. For the first time in the more than 20 years of this program, there will be no incremental funding of tenant-based rental assistance—a program which is widely acknowledged by conservative analysts to be HUD's most cost-effective one.

Mr. Chairman, the list of important and innovative housing programs to be cut by this legislation goes on and on and time prevents me from listing all of them. I wish to note for the record, however, my opposition to Republican cuts of \$90 million in the lead-based paint program; \$350 million in pension fund rental assistance; and \$38 million in the Youthbuild Program, which not only increases affordable housing, but also provides job training and skills for lower income Americans.

I am also opposed to the \$350 million cut in the Community Development Block Grant [CDBG] Program. CDBG funds allow community-based organizations to provide a wide range of services in their communities. Why, at a time when we are trying to promote community control are we tying the hands of communities trying to meet community needs?

What is the response of my Republican colleagues to our concerns about the impact of these draconian cuts? They say we simply cannot afford to provide housing for needy Americans. I say we simply cannot afford not to provide this housing.

This bill cuts funding which has already been voted on by Congress and signed into law by President Clinton. In many cases, communities and housing providers across the country struggling with trying to meet ever-growing needs with limited funds, will lose money for community development and for housing which is part of a community plan and which is already underway. Where progress is being made, it will be stopped. Would that halting progress is the only consequence under the Republican plan. Unfortunately, the bill before us today takes giant steps backwards in the fight against homelessness.

If we have learned anything about homelessness over the course of the past decade, it is that it costs less to keep people in affordable housing than it does to help homeless people with the transition back to being fully-functioning members of our society. The Republican cuts in our national housing programs are not only inhumane and cruel, but they are also inefficient and costly. While the Republican leadership trumpets the saving they propose today, they are covering up the costs their cuts will create tomorrow. I urge my colleagues to oppose this misguided and cruel bill.

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**EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR ADDITIONAL DISASTER ASSISTANCE AND RESCISSIONS FOR FISCAL YEAR 1995**

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SPEECH OF

**HON. BOB BARR**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 15, 1995*

The House in Committee of the Whole House on the State of the Union had under

consideration the bill (H.R. 1158) making emergency supplemental appropriations for additional disaster assistance and making rescissions for the fiscal year ending September 30, 1995, and for other purposes:

Mr. BARR. Mr. Chairman, I rise to engage the gentleman from California [Mr. LEWIS], who chairs the subcommittee dealing with HUD, in a colloquy if he is willing.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. BARR. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I would be very pleased to do so.

Mr. BARR. Mr. Chairman, many communities throughout the State of Georgia, including those within my own district, have raised a concern regarding the proposed reduction of \$349 million in community development block grants. I am informed that the cut amounts to as much as an 8 percent reduction from what has already been publicly announced and communicated to them.

Mr. LEWIS of California. The gentleman is correct. Many local communities have been notified of their fiscal year 1995 allocations and have initiated community meetings to plan for the release of CDBG money for the wide variety of eligible purposes.

Mr. BARR. So can we expect the committee to help us make a determination of how to assure these communities that they will receive what they were previously promised?

Mr. LEWIS of California. The report accompanying this bill directs OMB to cause the affected agencies, including HUD, to stop obligating funds proposed for rescission. I am very concerned that HUD in particular has attempted to move funds out the door as soon as they suspected they were rescission candidates. If we can get OMB to put the brakes on, I am sure that we can make a factual determination of how much of the proposed cut should be restored in order to keep faith with the local planning that has naturally progressed prior to the full committee's action late last week. And I am more than willing to do so in conference if HUD and OMB step up to the plate on this.

Mr. BARR. I appreciate knowing that you have the same understanding I do regarding the dilemma faced by my communities in Georgia. They will be very pleased to know that we are working on a solution.

Mr. LEWIS of California. Mr. Chairman, I commend the gentleman from Georgia [Mr. BARR] for his efforts.

**EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR ADDITIONAL DISASTER ASSISTANCE AND RESCISSIONS FOR FISCAL YEAR 1995**

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SPEECH OF

**HON. LYNN C. WOOLSEY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 15, 1995*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1158) making emergency supplemental appropriations for additional disaster assistance and making rescissions for the fiscal year ending September 30, 1995, and for other purposes:

Ms. WOOLSEY. Mr. Chairman, I rise in strong opposition to the Crane amendment which would increase the cuts in funding for the corporation for public broadcasting.

Mr. Chairman, I have received hundreds of letters from my constituents, in the sixth Congressional District of California, opposing the republican leadership's attacks on the CPB. These attacks will hurt our local PBS stations, KRCB and KQED, which are an important source of educational and cultural programming for adults and children in my district.

KCRB and KQED have helped thousands of adults get their high school degree and pass college level courses. Workers on farms in isolated areas; welfare mothers striving to become self-sufficient; and individuals seeking to improve their job skills have benefitted from the educational programming offered by KRCB and KQED.

Mr. Chairman, no commercial stations are offering these much-needed educational services!

In addition, KRCB, KQED and other PBS stations are home to valuable programming for our children. As a mother of four, I remember how difficult it was to find entertaining and educational programs for my children. I often relied on my local PBS station as do many parents who do not want their children watching the increasingly violent adult programs which are prevalent on commercial television stations.

For the price of one dollar per person, the corporation for public broadcasting ensures that every American household, rich or poor, urban or rural, has access to a wide range of educational and cultural programming.

Mr. Chairman, this is a small price to pay for the valuable services provided by PBS stations throughout the Nation.

I urge my colleagues to vote "no" on the Crane amendment.

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**THE SYMBOL OF OUR NATION**

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**HON. TOM BEVILL**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 21, 1995*

Mr. BEVILL. Mr. Speaker, I rise today to celebrate the introduction of historic legislation that will finally give the American flag the recognition it deserves as a symbol of our Nation.

As many as 235 Members of the House have co-sponsored this bill to amend the U.S.