

our workers, for their families, our communities, and our economy.

American workers are already on an economic treadmill, working longer hours and earning less, struggling to buy homes, struggling to send their kids to college. The Davis-Bacon Act helps many American workers to keep pace. To repeal it now would turn up the speed on the economic treadmill and put the American dream out of reach for too many working families.

Mr. Speaker, I am pleased to be here tonight with several of my colleagues who are going to address this very, very important issue.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas [Mr. TIAHRT] is recognized for 5 minutes.

[Mr. TIAHRT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

DAVIS-BACON: PROTECTING THE AMERICAN STANDARD OF LIVING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. FILNER] is recognized for 5 minutes.

Mr. FILNER. Mr. Speaker, I join with several of my colleagues tonight to discuss the Davis-Bacon Act, an act which for more than six decades has protected the standard of living of all Americans. We are going to hear in the debate that comes up as there are efforts to repeal this act that somehow the Davis-Bacon Act merely helps a few union workers, that it is a special interest law for only a few.

Mr. Speaker, Davis-Bacon benefits all Americans. It does help union workers who have negotiated good wage rates across America. But it helps non-union construction workers also because prevailing wages in almost 75 percent of communities across the country are based on nonunion pay scales and because Davis-Bacon extends the same protections to non-union workers as it does to union members.

Davis-Bacon benefits communities like my own in San Diego, because wages in our city are protected from cutthroat out-of-State lower wage labor and our economy is enriched because our working people maintain the purchasing power to keep our own small businesses thriving and our own retail operations going.

Contractors in our community are helped because they have a level playing field on which to compete and our taxpayers are benefited because they can rely on quality and the productivity, the timeliness, the reliability that more than compensates for the additional wage cost.

All our citizens, Mr. Speaker, are benefited because all the construction projects we rely on, whether they be bridges or schools or dams, nuclear waste removal sites, military installa-

tions, superhighways, all are built to the highest specifications by the most qualified, well-trained workers. That is why Davis-Bacon protects the standard of living of all Americans.

Now, we are going to hear in the debate that follows in a few days, in the months ahead, that eliminating Davis-Bacon will save the government billions of dollars, that Davis-Bacon adds to the cost of government at a time when we can ill afford that.

Mr. Speaker, the facts say otherwise. In fact, eliminating Davis-Bacon will not save the government money. Lower wages, it turns out, does not mean lower cost. And why is that? As has been shown in comparison after comparison, high-wage states complete the work of the Davis-Bacon contracts with 56 percent fewer hours worked. High-wage states, as contrasted to low-wage states, build 74.5 more miles of roadbed and 33 more miles of bridges for \$557 million less, and at the same time workers received a wage package more than double that in those low-wage states.

In addition, if Davis-Bacon were repealed, construction employees would be misclassified as independent contractors and the government would be cheated out of billions of tax dollars.

As my colleague, the gentlewoman from Connecticut, [Mr. DeLAURO], pointed out, nine States have already repealed their little Davis-Bacon acts because they have found out that tax collections actually fell because of lower rates. The Federal Government, it has been estimated, will lose nearly a billion dollars a year because of the decline in construction earnings. That is simply not a very smart way to address our deficit problem.

In addition, construction injuries increase by 15 percent in non-Davis-Bacon States, and that results in enormous loss-of-work days and productivity.

So, Mr. Speaker, not only does Davis-Bacon benefit all Americans; repealing it will not reduce any cost. It may, in fact, raise the cost of doing business.

My own district in San Diego has a majority of residents who are either African-American or Hispanic. They always ask, is anything I propose or anything that I favor harmful or of benefit to ethnic minorities?

Mr. Speaker, Davis-Bacon protects all working people, regardless of race or ethnicity. The intent of the act is to mandate that a fair and liveable wage be paid to every worker to stabilize local wage rates.

Mr. Speaker, we must not repeal Davis-Bacon.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. KINGSTON] is recognized for 5 minutes.

[Mr. KINGSTON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

REPEAL OF DAVIS-BACON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas, Mr. GENE GREEN, is recognized for 5 minutes.

Mr. GENE GREEN of Texas. Mr. Speaker, a number of us are taking the floor tonight in an attempt to respond to some of the misinformation used to justify the repeal of the Davis-Bacon, a law that requires fairness for our workers. The Davis-Bacon Act provides a process in which the Federal Government and many local governments must pay workers in a specific area the same wage on federal contracts as any other contract. There are several arguments put forth by the Republican majority or at least some of the Republican majority, because I would like to insert into the RECORD a letter from President Reagan in 1981 showing his support for Davis-Bacon Act.

WE AGREE WITH PRESIDENT REAGAN JUST SAY "NO" TO REPEAL

THE WHITE HOUSE,

Washington, September 29, 1981.

Mr. ROBERT A. GEORGINE,
President, AFL-CIO,
Washington, DC.

DEAR BOB: I want to acknowledge the Building and Construction Trades Department letter of September 11 concerning efforts to repeal the Davis-Bacon Act. I have asked the Secretary of Labor to respond directly, but I want to assure you and your General Presidents that I will continue to support my campaign pledge do not seek repeal of the Act.

With best wishes,

Very sincerely,

RONALD REAGAN.

The arguments revolve around the act being racist, as barring minorities from earning prevailing wages and adding costs to Federal contracts for multiple reasons.

Let us take the issue of Davis-Bacon being racist Federal law. This argument is based on language that was passed, was discussed when this original bill was passed in 1931. I would submit to the House that many things said in 1931 and the early 1930s on this House floor could not be used today, but that still means that Davis-Bacon is not a racist law.

A Congressman Upshaw from Georgia in 1927 asked Congressman Bacon if this bill was based on preventing a large aggregation of Negro labor, and Congressman Bacon vehemently stated that any influx of labor, union or non-union, regardless of race, being paid below prevailing wage would be detrimental to a local job market. Stating that Davis-Bacon is racially biased also assumes that minorities are not earning a prevailing wage. That argument that repealing Davis-Bacon helps minority workers goes against documented proof to the contrary.

I would also like to insert into the RECORD a resolution from the NAACP in its July 1993 convention supporting Davis-Bacon and the continuation of Davis-Bacon.

RESOLUTION PASSED BY THE NAACP AT ITS ANNUAL CONVENTION, JULY 1993

V. LABOR AND INDUSTRY

1. Davis-Bacon Act—Concurred.

Whereas, people of color have entered the construction industry in increasing numbers in the past. Today, they are threatened with the loss of many of the economic and social gains made over the last several years; and,

Whereas, the Davis-Bacon Act of 1931 protects the wages of all construction workers, including minorities and women, who are particularly vulnerable to exploitation; and,

Whereas, shocking examples of the exploitation of minorities and female workers on the construction site, even in the face of the Davis-Bacon Act, the law designed to prohibit such exploitation, are legion,

Therefore, be it resolved, that the NAACP supports the Davis-Bacon Act, takes steps to strengthen its enforcement, and supports the creation of opportunities through training and apprenticeship programs.

A 1991 wage survey by the Department of Labor, reveals that the percentage of minorities employed by Federal contractors was 20.12 percent as opposed to nonfederal projects of 20.56 percent. A difference of 0.4 percent in three categories, craftsman, operators, and laborers. Federal contractors have a higher percentage of minorities participation than nonfederal contractors. This also goes against the Senate report language which states that Davis-Bacon protects small businesses, especially minority small businesses, from being undercut in labor costs by large contracts.

Davis-Bacon makes no distinction between race, gender or other characteristic. It simply requires an employer pay a prevailing wage, a fair wage. That is it.

The next argument is that Davis-Bacon is a union wage. In the State of Texas we are a right to work State which prevents anyone from being forced to join a union. Contractors, the perfect example of small business, the engine of job creation, are the only respondents to job surveys that are sent out by the Department of Labor. Wage surveys are sent out and in a geographic area to obtain the wage and benefits paid by contractors and subcontractors. They are not sent to union halls or to union officials.

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Mr. Speaker, I want to stress the fact that at no time does a union official send in a wage survey. It is actually the employer who sends them in. A contractor who decides on his own to be a union contractor obviously sends in that survey, but he does not represent the union.

On the form contractors use to report wage information, form WD 10, it calls for a contractor to respond. There is no area for a labor leader or any other labor representative to respond.

The process allows contractors of all sizes in a geographic area to decide what level they will pay their workers, while protecting the job market from large multistate contractors. In recent surveys on building trades, the Department of Labor showed that 38 percent

of the respondents were union, 38 percent.

To say that this wage is union wages is just not correct. If that is to say that 38 percent make up the distinction on this survey by the Davis-Bacon source book, then we Democrats in the House are now in the majority, Mr. Speaker, because we could control it with 38 percent.

We should not run headlong into repealing a law that for 60 years has stood in its stead. It is based on falsehoods and wishful thinking, particularly that Davis-Bacon was based on racist assumptions, and also that it is a union wage that they are saying, with 38 percent only provided.

Studies of 10 States where 50 percent of the highway and bridge construction occurs reveals that workers paid double that of low wages built 74 miles more roadbed and 32 miles more bridges for \$557 billion less. My colleague, the gentleman from California, pointed this out, and I am proud to be here tonight with my colleagues, not only from Connecticut and California, but myself being from Texas, to talk about the benefits that we have by having a prevailing wage in Davis-Bacon being on our books since 1931.

REPUBLICAN PROGRAMS REFLECT THE TRUE PARTY OF THE MIDDLE CLASS

The SPEAKER pro tempore (Mr. DUNCAN). Under a previous order of the House, the chair recognizes the gentleman from California [Mr. CUNNINGHAM] for 5 minutes.

Mr. CUNNINGHAM. Mr. Speaker, I have heard some of my Democratic colleagues talk about the Contract With America. They say it is detrimental, but if you look at those Members that are saying that, those are the same Members that voted against the balanced budget amendment.

If you look at the Contract With America, on the items that we have covered so far, take a look at the history of this House. Have you seen votes as fast and as many Republicans and Democrats supporting those Contract items?

Congress falls under the same laws, the balanced budget amendment, the line-item veto, unfunded mandates, 290 votes to 340 votes, Mr. Speaker; bipartisanship. Who voted against that bipartisanship? The liberal and socialist Members of the Democratic party. Even members of their own party have separated themselves from the liberal leadership.

If you take a look at those who voted against it, the gentleman from Missouri [Mr. GEPHARDT], the gentleman from Michigan [Mr. BONIOR], the gentleman from California [Mr. FAZIO], why? Because they support big government, government doing everything for everybody. The only way they can do that is to have a big bureaucracy, and to support that big bureaucracy, they

have to increase taxes and increase spending.

Mr. Speaker, the rhetoric; the gentleman from Missouri [Mr. GEPHARDT], years and years and years, I have the documentation, every single tax vote that the minority leader now claims that, It is only for the rich, and we are trying to help the poor, I have the records. That is the same rhetoric since 1970.

Each time, the Democratic package, including the Bush package, would resolve that. However, here again, he is saying the same thing.

I look at our two California Senators that hid behind the balanced budget amendment and say they were trying to protect Social Security, but yet in the Clinton tax package those same two Senators in the liberal leadership, those same Members of this body that I just mentioned, voted for the Clinton tax package, which increased the tax on Social Security. Yet, our two Senators on the other side are hiding behind that, for the balanced budget amendment.

Mr. Speaker, I look at what we have done in the past, and the rhetoric. I look at a Clinton tax package in which there was a promise of a middle-class tax break, a promise not only in the campaign, but before the actual budget came forward, and what happened?

Remember the great Btu tax and the Clinton tax package? There was not going to be any middle-class tax in that. I heard liberal Democrat after liberal Democrat come up and say, There is no tax increase in the Btu tax, there is no tax increase for the middle-class in this tax package. America did not buy it, and you passed a bill that was so bad that after 45 minutes of closing the clock and twisting arms, you passed it by 1 vote, when then Speaker Foley shut down the clock, twisted arms until you could pass that bill.

The rhetoric? \$600 billion in new taxes and fees, a defense cut of \$177 billion, and sure, you can apply some of that to the deficit, but in that you increase the tax on Social Security, you cut the veterans' COLA, so who is really playing the rhetoric?

The bottomline, Mr. Speaker, is that the middle-class marginal tax rate went up under the Clinton budget. Every Member that is speaking here against the Contract not only voted against the balanced budget amendment, but voted for that Clinton tax, which increased the marginal tax rate of the middle-class from \$17,000 and above, yet they say they are the party of the middle-class?

A balanced budget, Greenspan has said, will bring interest rates down by 2 percent. That will provide capital. Take a look at the items that we wanted to do: capital gains reduction, that is only for the rich? Malarkey. America sees through that, and they support a capital gains reduction.

Where we want to limit the amount of growth, growth is projected by over