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House of Representatives

The House met at 9:30 a.m. and was called to order by the Speaker pro tempore [Mr. FOLEY].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

April 4, 1995.

I hereby designate the Honorable MARK ADAM FOLEY to act as Speaker pro tempore on this day.

NEWT GINGRICH,

Speaker of the House of Representatives.

MORNING BUSINESS

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 1995, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority and minority leader limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Florida [Mr. GIBBONS] for 5 minutes.

CROWN JEWEL OF THE CONTRACT

Mr. GIBBONS. Mr. Speaker, this week we are going to vote on what Speaker GINGRICH has called the crown jewel of the contract. I am here to tell you this morning why you should not vote for this crown jewel.

This crown jewel is a \$700 billion tax cut. This is not the right time to cut taxes. This is the right time to cut the budget deficit.

Every economist that appeared before the Committee on the Budget, every well-known economist in this country will tell you that the business

of Congress today should be cutting the budget deficit, not cutting taxes. So this is the wrong cut at the wrong time.

Let us go first to where we are in all of this. The chart that I have here to my right shows what has happened to all Americans during the last 20 years. These are families, family incomes divided into fifths, the lowest fifth on the far-right side, the highest fifth on the left-hand side.

If the cameras will look closely at this chart, you will see that the upper one-fifth has gained family income of almost 30 percent in the last 20 years, while the lowest fifth of American families have lost income of almost 15 percent, and the middle income right here in the middle has stood still. That is why American are upset.

And the principal reasons for this chart being as it is are two: One, the tax policy of the United States; and, two, the budget deficits that have run on chronically has stolen all of the gains that have been made, the losses that have been made have been contributed to by the budget deficits and by the tax policy. So this is the wrong time to cut the taxes. It is the right time to cut the deficit.

Why is it the wrong time? America's economy has been at full employment for the last few months and has had rising employment ever since 1991. We are right at full employment now.

Two, the second reason we should not be cutting taxes now is that we are at maximum capacity utilization in our industrial plant. That is the reason why the Federal Reserve has over the last 12 months raised interest rates by 7 percent, by seven times. The Federal Reserve in fighting inflation has raised the interest rates seven times in the last 12 to 14 months. So America's economy is bubbling along.

We want to continue that strong economic growth, but if we cut taxes now

and do not cut the deficit we run a real chance of kicking off a serious round of inflation.

The second reason why we should not vote for this crown jewel, as Mr. GINGRICH calls it, is that it is the wrong kind of tax cut.

Now, let us have the next chart, please. This chart shows you who will benefit by this plan.

You will notice here on the right side in the upper chart, these are households in America, starting with the ones under \$30,000 and ending with the ones over \$200,000. The very strong green line on the left of this chart shows you what those with more than \$200,000 worth of annual income will get per year out of this tax cut. They get over \$11,000 in tax cut. While those ones under the \$30,000 will get \$124, maybe.

The figure, the chart below the top chart shows how many families are involved in this, and you will notice that all the families are down here on the right; 44 million families at the bottom will get nothing; 2.8 million families at the top get an average of \$11,300 a year.

Now, most of the families down here get very little in the tax cut, while the upper families get all of the tax cut.

Mr. Speaker, this is the wrong time to be cutting taxes. We should be cutting the deficit. This is the wrong tax bill because of inequitable distribution of the benefits of the bill.

TRUE LIES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from Colorado [Mr. HEFLEY] is recognized during morning business for 5 minutes.

Mr. HEFLEY. Mr. Speaker, Joe Dear, the head of the Occupational Safety and Health Administration recently testified before Congress that virtually all of the stories being told about

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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OSHA—stories about OSHA outlawing the Tooth Fairy, prohibiting chewing gum on roofs, and fining employers for hazardous dishwashing detergents—are false.

Having focused on OSHA issues for years I find, the only thing false about these stories is their distortion by people who support OSHA. Let us look at the facts.

Specifically, Mr. Dear told the committee, "OSHA does not require material data safety sheets for the normal use of consumer products like Joy."

I have a \$2,500 citation and notification of penalty from OSHA, issued just last year, which states, "The company did not have a written hazard communication program. The primary chemicals used are used in the kitchen and bathroom areas. Chemicals used, but not limited to: automatic dishwashing detergent and bleach."

This is not the first time OSHA has cited a small business for failing to have a MSDS sheet on ordinary household products. Contrary to Mr. Dear's assertion, it has happened more than once. OSHA has also issued citations for hazardous bricks, sand, gravel, chalk, et cetera.

Mr. Dear went on to say that "OSHA has not banned the tooth fairy; dentists can give children their extracted teeth." Although this statement may be true now, it was not always.

When OSHA published its final bloodborne pathogen rule on December 6, 1991, the regulation provided no exceptions for baby teeth or any other body part defined as contaminated waste. All contaminated waste—including baby teeth—was to be disposed of in the OSHA-defined proper manner.

It was only after America's dentists raised concern and several newspapers lampooned the new OSHA regulation that OSHA clarified that it would not cite dentists for allowing children to keep their teeth.

Last, we have the question of gum chewing on roof tops. Once again, Mr. Dear provided Congress with a half-truth. He said, "OSHA does not prohibit workers from chewing gum, although we do restrict asbestos removal workers from ingesting food where a high level of asbestos is present, since ingestion of asbestos causes cancer and lung damage."

Setting aside the question of how ingesting asbestos causes lung damage—breathing asbestos is linked to lung damage, ingesting asbestos is linked to gastrointestinal cancers—Mr. Dear is simply wrong. OSHA itself has admitted that it prohibited chewing gum in asbestos workplaces, including rooftops where roofers were using tiles containing small amounts of asbestos.

In a memorandum to OSHA's regional administrators dated January 13, 1995, OSHA stated, "OSHA prohibited eating, drinking, chewing tobacco or gum, where activities take place involving removal or repair of asbestos containing building materials, regard-

less of measured breathing zone exposure levels."

The memorandum proceeds to admit that these regulations are excessive, will "result in negligible reduction of exposure," and therefore OSHA should not issue citations for their violation.

In other words, Joe Dear would have you believe that OSHA never prohibited chewing gum on rooftops when OSHA itself has not only admitted doing it, but issued a retraction as well.

The battle over OSHA reform is not about whether OSHA does stupid things. With over hundreds of regulations governing every possible hazard, real and imagined, OSHA cannot help but do stupid things. By challenging the veracity of OSHA's more notorious missteps, OSHA defenders are wasting their time and hurting their own credibility.

OSHA did fine people for failing to have material safety data sheets on common household products like Joy, its regulations—without clarification—did prohibit dentists from giving children back their baby teeth, and its regulations—once again, without clarification—did prohibit roofers from chewing gum.

To suggest otherwise is to fib, obfuscate, and otherwise distort the truth. In his testimony, Mr. Dear stated, "If these stories were true, I might be asking the same questions about the need for OSHA." Those stories are true, Mr. Dear. Start asking.

CONTRACT BILL FLAWS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized during morning business for 5 minutes.

Mrs. SCHROEDER. Mr. Speaker, I must say this is a very interesting week as we watch the 100 days come to a close. I am really astounded that there is going to be a circus coming to the Hill tomorrow. Think of the images you can have, bread and circuses, three-ring circuses.

But as we laugh about that and as we wonder who in the world thought that was a good image, let me talk about what we did last week and what we now know and how upset many of us on this side of the aisle are.

Last week, we passed a bill that finally, finally, gave working-class Americans the right to deduct their health care premiums. We absolutely should have, we should have done it long ago.

And one of the reasons ordinary people often do not get their tax benefits as soon as they are not here with PAC money and they are not special interests, and so they usually have to go to the end of the line. So we were all celebrating. Finally, we are getting this up. Is that not wonderful? Working-class Americans are going to finally be

able to get some kind of deduction for their health care insurance. Hooray.

But now we have learned what was tucked in that little bill. And tucked in that little bill was a \$63 million tax rebate jewel for none other than Rupert Murdoch.

Now, this 100 days began with Rupert Murdoch and a book deal with the Speaker, and it ends with him getting a \$63 million tax rebate stuck on this tax bill for working-class Americans. I find that unconscionable when what we were told what we were doing was shutting off the special benefit to this entire class of people.

This was a special benefit dealing with selling of broadcasting stations. Well, apparently, we cut it off for everybody in the world except one guy, who is a little more equal than other guys. But when you contrast his status with working class Americans, you can see why his needs got moved to the front and they found some way to sneak it through.

The other part of this bill that was so terribly disappointing was in the Senate they did some very good work. What did they do? They closed a loophole. They closed a loophole that had been allowing billionaires to move off shore, to move off shore and then avoid paying taxes. So they very correctly closed this loophole which would save the Treasury about \$3 billion or more, roughly.

We have read over and over again how some tax lawyer kind of discovered this a couple years ago and so it has become the new exit way for all sorts of people to exit the IRS and their 1040 code, for those who have a lot at stake.

Obviously, there are many countries who would be very willing to welcome these billionaires because they think they will then spend their money in that country.

Well, unfortunately, even though we had three votes on this issue here, the House would not yield to them, so that is the other flaw in this bill dealing with working-class Americans trying to get their deduction for health care that they so, so deserve is that we did not close this other loophole because the House refused to close that loophole. So billionaires can still escape taxation by throwing their citizenship overboard. I find that horrifying.

I really hope what we do, now that we have discovered how flawed this is, is that we can get a commitment that the President would veto this bill, and we could just bring it back clean the way it should be.

I think the other interesting thing is that the President cannot knock out special privileges in tax bills. Because when you talk about being able to do line-item veto, the line-item veto has been allowed on the spending, but when it was offered to take out special tax benefits, then it was turned down.

Now, everybody knows a special tax benefit costs just as much money as a spending thing. Is it not interesting