

dissemination of false and defamatory statements such as those that you are circulating. Please be assured that I am fully prepared to take legal action if you do not immediately cease and desist these activities.

Sincerely,

JIM McDERMOTT.

UNFUNDED MANDATES AND CBO ESTIMATES

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 1996

Mr. HAMILTON. Mr. Speaker, the Unfunded Mandates Reform Act of 1995 was intended to assist Congress in its consideration of proposed legislation by providing information about the nature and size of possible mandates in those proposals. The Congressional Budget Office is directed by that statute to help in developing such information.

I wrote to the Congressional Budget Office to express my concerns about serious problems with the unfunded mandates information CBO provided on the conference report on H.R. 1561, the American Overseas Interest Act. That correspondence appears in the CONGRESSIONAL RECORD of March 22, 1996, at E426.

I would now like to submit the CBO response to my earlier letter. I am pleased that CBO acknowledges that it would be more useful to the Congress for CBO to provide the full cost estimate for any bill at one time, rather than in select parts, and that three of the four provisions in the conference report on H.R. 1561 would, in fact, increase costs to the States. I hope that in the future CBO will include such information in a single estimate at the time a bill is under consideration.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 18, 1996.

Hon. LEE H. HAMILTON,
Ranking Minority Member, Committee on International Relations, U.S. House of Representatives, Washington, DC.

DEAR CONGRESSMAN: I am writing in response to your letter of March 20, 1996, concerning CBO's intergovernmental mandates cost statement for the conference report on H.R. 1561, the Foreign Relations Authorization Act for Fiscal Years 1996 and 1997. Our mandates statement concluded that the conference report contained no intergovernmental mandates as defined by the Unfunded Mandates Reform Act of 1995 (Public Law 104-4).

In your letter, you raised two major concerns about CBO's estimate. First, you suggested that separating the mandates cost statement from the federal cost estimate for a bill or conference report diminishes the usefulness of the information for Members. I fully agree. As a general rule, CBO attempts to send out all information on a bill—the federal cost estimate, the intergovernmental mandate statement, and the private sector mandate statement—at the same time. Sometimes, however, we cannot complete all those statements at once, and in the interest of providing information in a timely manner, we send them separately.

Second, you questioned CBO's conclusion that H.R. 1561 would impose no intergovernmental mandates. Because the definition of mandate in Public Law 104-4 is a narrow one, a bill can increase costs for states and localities without imposing a mandate upon

them. In fact, H.R. 1561 is just such a case. As you suggest, states would face additional costs if more refugees enter the United States and receive benefits from AFDC, Medicaid, or other public programs. CBO's estimate should have indicated the likelihood of such costs, even though they would not be the direct result of new mandates imposed on the states.

The Unfunded Mandates Reform Act defines a federal intergovernmental mandate as any provision in legislation, statute, or regulation that would impose an enforceable duty upon state, local, or tribal governments, except as a condition of federal assistance or a duty arising from participation in a voluntary federal program. Under the act, a provision that relates to large federal entitlement grant programs constitutes a mandate only if that provision would increase the stringency of conditions of assistance to state, local, and tribal governments under those programs, and only if the affected governments lack authority under that program to amend their financial or programmatic responsibilities to continue providing required services that are affected by the provision. Furthermore, section 4 of Public Law 104-4 specifically excludes from CBO's analysis certain kinds of legislative provisions, including any provision that "is necessary for the national security or the ratification or implementation of international treaty obligations."

Three of the provisions cited in your letter as having the potential to expand the states' burden of caring for refugees (sections 1104, 1253, and 1255) do not meet the definition of an intergovernmental mandate in Public Law 104-4. These provisions relate instead to the operation of the State Department's refugee and migration assistance programs. While states would face additional costs if more refugees and asylees are allowed to remain in this country, these costs would result either from state public assistance requirements that are not controlled by the federal government, or from an increase in the number of people eligible for federal entitlement programs. Because the bill would not increase the stringency of conditions for these entitlement programs, these provisions do not constitute mandates under the law.

Section 1256, the remaining provision of the conference agreement cited in your letter, falls within the section 4 exclusion, because it is necessary for the implementation of the international obligations of the United States under the Convention Against Torture and Other Cruel, Inhuman, and Degrading Treatment or Punishment. Therefore, pursuant to the provisions of the act, CBO did not analyze its potential impact on state, local, and tribal governments.

Please let me know if you have further questions or concerns about this estimate or about the implementation of the Unfunded Mandates Reform Act. The CBO staff contact is Pepper Santalucia.

Sincerely,

JUNE E. O'NEILL,
Director.

PERSONAL EXPLANATION

HON. JOHN N. HOSTETTLER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 1996

Mr. HOSTETTLER. Mr. Speaker, due to official business in my district, I missed two yeand-nay votes and one recorded vote on May 8, 1996. Had I been present, I would have

voted as follows and request that these appear at the appropriate place in the record:

I would have voted "yea" on rollcall No. 150, which ordered the previous question on House Resolution 416, a resolution to establish a Select Committee of the Committee on International Relations to investigate the United States role in Iranian arms transfer to Croatia and Bosnia.

I would have voted "yea" on rollcall No. 151, on passage of House Resolution 416, a resolution to establish a Select Committee of the Committee on International Relations to investigate the United States role in Iranian arms transfer to Croatia and Bosnia.

I would have voted "yea" on rollcall No. 152, on adoption of House Resolution 417 to provide amounts for the expenses of the Select Committee of the Committee on International Relations to investigate the United States role in Iranian arms transfer to Croatia and Bosnia.

HONORING THE LAFAYETTE VOLUNTEER FIRE DEPARTMENT

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 1996

Mr. GORDON. Mr. Speaker, I am taking this opportunity to applaud the invaluable services provided by the Lafayette Volunteer Fire Department. These brave, civic-minded people give freely of their time so that we may all feel safer at night.

Few realize the depth of training and hard work that goes into being a volunteer firefighter. To quote one of my local volunteers, "These firemen must have an overwhelming desire to do for others while expecting nothing in return."

Preparation includes twice monthly training programs in which they have live drills, study the latest videos featuring the latest in firefighting tactics, as well as attend seminars where they can obtain the knowledge they need to save lives. Within a year of becoming a volunteer firefighter, most attend the Tennessee Fire Training School in Murfreesboro where they undergo further, intensified training.

When the residents of my district go to bed at night, they know that should disaster strike and their home catch fire, well-trained and qualified volunteer fire departments are ready and willing to give so graciously and generously of themselves. This peace of mind should not be taken for granted.

By selflessly giving of themselves, they ensure a safer future for us all. We owe these volunteer fire departments a debt of gratitude for their service and sacrifice.

NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT OF 1996

HON. TIM JOHNSON

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 1996

Mr. JOHNSON of South Dakota. Mr. Speaker, I rise today to express my strong support for the Native American Housing and Self-Determination Act offered as an amendment to

the U.S. Housing Act of 1996 by Representative HAYWORTH. I am an original cosponsor of this bill because I believe there is a pressing need to assess and reorganize Native American housing programs in this country. This amendment is a strong step in the right direction.

Chairman LAZIO and his staff have put forth a great deal of effort to ensure that the needs of Native Americans in my State and across the country have been given serious attention and consideration throughout the crafting of this bill.

I agree with Chairman LAZIO and the Native American Indian Housing Council that Indian housing should be divorced from public housing programs because of the unique needs of Indian country and the many economic challenges that must be overcome. The U.S. Housing Act does not address these unique needs, and I believe including the Native American Housing and Self-Determination Act as an amendment to H.R. 4206 will guarantee that quality housing for Native American communities is not neglected as Federal housing programs are revamped in Congress.

Housing is an integral and most basic component to economic development for Indian and non-Indian communities alike. I support the premise of the Native American Housing Assistance and Self-Determination Act because Congress must prioritize programs which develop infrastructure on reservations and enhance economic growth for tribal communities. Additionally, the extreme health problems that many Indian communities face can be linked directly to inadequate housing, problems that can begin to be addressed through this Indian self-determination legislation. The flexibility in funding and in the administration of housing programs that this bill promotes is the key to tribal self-sufficiency and self-determination in housing management. Ultimately, this self-determination will result in increased access to safe, affordable housing for Native American people nationwide.

The unique housing needs of Indian country warrant a continued Federal commitment to successful tribal housing programs. I look forward to working with Chairman LAZIO, my colleagues, and Indian tribes nationwide to make the Native American Housing and Self-Determination Act a reality, with the health and welfare of Indian tribes our foremost priority. I strongly urge my colleagues to vote for the Hayworth amendment on Native American Housing Assistance and Self-Determination.

THE COMPETITIVE LIVESTOCK
MARKETS ACT OF 1996

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 1996

Mr. POMEROY. Mr. Speaker, today I am introducing legislation to address the disastrous situation that livestock producers across this Nation are currently facing. At this time, livestock producers are suffering the double-whammy of the lowest prices since the Great Depression and the highest feed prices in a generation. Many producers in my State are facing no choice but to sell out this year as they face losses of several hundred dollars on every head they sell.

Ranchers from across my State have told me that concentration in the meat packing industry has limited competition in the livestock markets. The three largest meat packing firms now control over 80 percent of the cattle slaughter in this country. Independent producers have been squeezed to the point where they are at the mercy of whatever price the giant meat packing firms are willing to offer. Congress must act to restore free and open competition in our Nation's livestock markets.

The legislation I am introducing today will accomplish that goal in the following manner:

First, it directs the Secretary of Agriculture to develop rules to prohibit noncompetitive captive supply arrangements. These captive supply arrangements include formula pricing, forward contracting and packer-owned cattle feeding. The bill does not prohibit all captive supply arrangements between a producer and a packer, only those determined to be detrimental to competition in the livestock markets. This provision will force the livestock trade to occur in a free and open market.

Second, the bill requires the Secretary of Agriculture to implement mandatory reporting of the prices and terms of sale for slaughter livestock purchased by packers who have greater than a 5-percent share of the slaughter market. This information would be public knowledge and reported immediately. There would be no more secret deals between packers and large feedlots. All producers should have access to information on the terms of sale for slaughter livestock in order to take maximum advantage of free market forces.

Finally, the bill would require the reporting of export sales of meat on a weekly basis. Access to this information will help all livestock producers gain a more realistic picture of supply and demand relationships.

Mr. Speaker, we are facing a crisis of epic proportions among livestock producers in this Nation. From Texas to North Dakota independent family ranchers are facing financial ruin. We must take steps immediately to address what is wrong in this industry. With this bill, we are saying that the large meat packers can no longer control the cattle markets through secret deals and privileged information. We must restore the free markets that the United States is known for around the world. I urge my colleagues to join me in support of this legislation.

WILLIAM DAVIDSON TO RECEIVE
DOCTOR OF HUMANE LETTERS

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 1996

Mr. LANTOS. Mr. Speaker, next week, Bill Davidson, a good friend and a great American, will receive an honorary Doctor of Humane Letters from the Jewish Theological Seminary of America. In recognizing Bill's many accomplishments and extraordinary commitment to improving our country, the Jewish Theological Seminary speaks for the many people in his community and around the world who have benefited from Bill's extraordinary wisdom and philanthropy.

Bill Davidson is the chairman of the board and president of Guardian Industries Corp. of Northville, MI. Under his wise direction, Guard-

ian has become a solid industrial asset to our economy, as well as a conscientious corporate citizen. Guardian has also been an ambassador of American engineering and way of doing business through its pioneering ventures overseas. These ventures have helped emerging democracies develop a more solid economic base while increasing American presence and influence abroad.

While running his hugely successful company, Bill found the time to volunteer for numerous community organizations. His generosity was recognized in 1992, when he was given the Jewish community's highest honor for outstanding volunteer service, the Fred M. Butzel Memorial Award for Distinguished Community Service. He has given generously of his time and resources to educational institutions, Detroit community organizations, and Jewish organizations nationwide.

Not one to confine himself to the roles of successful businessman and community activist, Bill is also the majority owner of the Detroit Pistons basketball club, the Palace Sports and Entertainment Arena, the Detroit Vipers hockey team and the Detroit Neon soccer team. He was inducted into the Michigan Jewish Sports Hall of Fame in 1985.

I commend the Jewish Theological Seminary for recognizing Bill Davidson with a prestigious Honoris Causa. This honorary degree is a testament to Bill's outstanding and continuing contributions to the education and enrichment of the Jewish community and our nation. I invite my colleagues to join me in expressing our gratitude and most heartfelt congratulations to Bill Davidson on this most joyous occasion.

HONORING DEAN ROGER
EICHHORN

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 1996

Mr. BENTSEN. Mr. Speaker, I rise to thank and honor Dr. Roger Eichhorn as he completes his 14-year tenure as dean of engineering at the University of Houston. The Cullen College of Engineering surely will miss his leadership, but his students and the engineering field will be richer as Dr. Eichhorn returns to teaching and research.

Dr. Eichhorn has a long career of service and contributions to educational, professional, civic, technical, and humanitarian endeavors. He was rightly honored as 1995 Houston Engineer of the Year.

Dr. Eichhorn traces his love of engineering to his days as a farm boy in Minnesota, when he got into trouble regularly for breaking his father's tools. He studied electrical and mechanical engineering at the University of Minnesota, where he received his doctorate while working as an instructor. He then accepted a position as assistant professor at Princeton University, where he was soon awarded the rank of associate professor with tenure. In 1967, he moved on to the University of Kentucky as professor of Mechanical Engineering, serving initially as chairman of the department and later as dean of engineering. In 1982, he came to the University of Houston as a professor of mechanical engineering and dean of the Cullen College of Engineering.