

## ADDITIONAL STATEMENTS

## THE SMALL BUSINESS REGULATORY ENFORCEMENT FAIRNESS ACT

• Mr. BENNETT. Mr. President, I am pleased to join the efforts of my colleagues on the Senate Small Business Committee to advance regulatory reform. As the CEO of a small business during the eighties, I witnessed first hand how a business, when left unencumbered by intrusive government regulations, can push the envelope of innovation, maximize on ingenuity, and create jobs. When I left Franklin Quest before running for the Senate, our firm, which did not even exist 10 years ago, provided over 700 people with jobs.

Unfortunately, as the decade progressed and the Congress accelerated its approval of unfunded mandates to State and local governments and businesses, the regulatory machine burgeoned while the job creation engine slowed. Americans now are suffering the unintended consequences of the Federal Government's good intentions. Over-regulating causes prices to go up and wages to go down. It is responsible for increased unemployment and a drain on our international competitiveness. And because regulation increases uncertainty, it impairs innovation.

For these reasons, I am excited to help enact laws which will help our country's businesses, particularly our small businesses, function with less government intrusion. Although I would like to go much further in limiting excess regulation of business, this bill is a step in the right direction, and I look forward to seeing President Clinton support it.

In a report to Congress issued in October 1995, the Small Business Administration noted that small businesses bear a disproportionate share of the regulatory burden. It was estimated that small businesses pay 63 percent of the total private-sector bill for complying with Federal regulations, while employing 53 percent of the work force. Dr. Thomas Hopkins, a leading researcher in the field of regulatory costs, estimated that small businesses pay 80-percent more per employee in regulatory paperwork costs than do larger companies. Meanwhile, small business is acknowledged to be the creator of most new jobs in this country. For these reasons, it is imperative that we listen and respond to the concerns of small business.

This bill, the Small Business Regulatory Enforcement Fairness Act of 1996, S. 942, was developed using recommendations from the small business community. During the 1995 White House Conference on Small Business, representatives from small business came together and prioritized the top ways the Federal Government could help them be more successful. Several of the top priorities named during that conference are included in this bill.

The Small Business Regulatory Enforcement Fairness Act of 1996 permits small businesses to take Federal agencies to court if the agencies do not comply with a reg flex analysis, a requirement under the Regulatory Flexibility Act of 1980 that requires agencies to review the impact of new regulations on small businesses. S. 942 also requires Federal agencies to simplify forms and publish a plain English guide to help small businesses comply with regulations. Additionally, agencies are directed to waive certain fines for first-time, nonserious violations by small businesses if the violations were corrected within a certain time period. The bill also allows small firms to recoup attorneys' fees if they win a challenge against excessive enforcement of existing regulations. Finally, the bill provides a 45-day congressional review mechanism for Congress to reject new rules with expedited procedures, subject to constitutional presentment to the President.

I appreciate the efforts of Senators BOND, BUMPERS, DOMENICI, and NICKLES to pass this legislation which offers at least some degree of relief to the American worker. As one leader in the small business community put it, "if Government continues to load regulations on our backs, all it will get in return are broken backs." I am happy to be a co-sponsor and supporter of this effort to get Government off small businesses' backs, and help them get back to work. •

## HEROES IN A FLORIDA TRAGEDY

• Mr. HOLLINGS. Mr. President, I rise today to remember a South Carolina family and the heroes who struggled to rescue them. On one side, we have a tragedy that boggles the mind. On the other, there are dozens of quiet heroes whose courage is a blessing and reminder of what makes our people strong.

On March 17, a small plane crashed off Key West, FL. Five people—the pilot and four members of the Blackburn family—died. A son, 10-year-old Matthew Blackburn, miraculously survived. Our prayers are with both families. We mourn their deaths and pray for a speedy recovery for young Matthew.

At the same time, we should all feel a deep sense of gratitude for Americans who risk their lives everyday for others. In this tragedy, trained rescue workers, lifeguards, police officers, and paramedics put their lives in danger to save the pilot and family. Even more noteworthy are other volunteers, such as a boat captain and diver, who went out of their way to help as much as possible.

Mr. President, I ask to have printed in the RECORD the March 24 article from the Miami Herald to pay tribute to these heroes and to leave a lasting memorial to those who perished.

The article follows:

[From the Miami Herald, Mar. 24, 1996]

## HEROES IN THE MOMENT

(By Susana Bellido and Ozzie Osborne)

KEY WEST.—In one sickening moment, a seaplane bound for the Dry Tortugas crashed into five feet of water off Key West's busiest road last Sunday, trapping a family of five and the pilot under water.

In the seconds and minutes that followed: One by one, tourists and Key West resident, police officers and paramedics, students and workers jumped into the water.

Despite the horrid scene, the sting of fuel in the eyes, the despair of seeing children die in their hands, they did what they could.

In an unsynchronized maneuver, they cleared the way for each other, they yielded to the most experienced, they fetched equipment, they formed a human chain to get the victims to shore, they did what had to be done.

The did all the could.

When it was all over, five people were dead: Lynn and Pamela Blackburn, a couple from Charleston, S.C. who had arrived in Key West the night before on vacation; their 6-year-old son Jonathan and 3-year-old daughter Martha; and the pilot, Keith Bellow of Gretna, La., father of three.

The only survivor was Matthew Blackburn, a 10-year-old who defied the odds and is recovering from broken bones and other injuries.

With him are the hopes of the everyday people who reacted to an extraordinary situation with selfless courage.

With him is their sympathy, for he was the only one they could save.

They are the heroes. Here are some of their stories.

ANDY MATROCI—BOAT CAPTAIN WAS ONE OF THE FIRST IN MURKY WATER.

Andy Matroci heard it hit. Something big, in the water.

A boat captain and diver who searches for Spanish galleons, Matroci had been riding his bike along North Roosevelt Boulevard. He looked back. The wreckage was just 60 feet away.

Instantly, it seemed, people were wading toward the wreckage. He took off his shoes and joined them.

The water was still murky from the crash. He put his hand into the plane and felt Pamela Blackburn's leg. He couldn't reach her seat belt. He yelled to a guy on the other side to try to get her out.

"I got one here," another man yelled. He asked for a knife to cut loose a child.

Somebody brought a mask out. Somebody asked for a pair of shears. Someone was walking from shore with a pair. Matroci fetched them.

He carried one of the children to shore. He thought of administering CPR, but water poured the child's mouth. He handed the wilted body up the sea wall.

We're not working fast enough, he thought. The seat belts were slowing them down.

After the last body was out, he retreated, climbed on his bike and headed home.

"I keep thinking about that kid, Matthew, what he's got to go through.

RUSTY WAYNE—DIVE MASTER USED KNIFE TO FREE VICTIMS

Rusty Wayne, a dive master with Holiday Cat, left a boatload of tourists and zipped to the crash on a water bike.

"You could see them inside, and they weren't moving." They were belted in. He got his diving knife to cut them free.

He helped free Pamela Blackburn and one of the children. When two paramedics arrived, he went back to shore for diving equipment.

Returning, he saw about 15 people helping. A human chain had formed; strangers were

passing victims to shore and rescue gear to the plane.

"I was a little afraid it was going to get congested, but I could even hear people on-shore calling, 'Clear the way!' Everybody did a small part, and it all worked out."

SHANE CHAPMAN—LIFEGUARD YELLED: I GOT ONE! I GOT ONE!

Shane Chapman, a lifeguard from Anaheim Hills, Calif., was poolside across the street at the Comfort Inn. He dashed across the street and into the water.

"I swam underwater to see if I could find anyone . . . I felt what I thought was a handbag. I went back up for air and suddenly realized: It was a boy.

"I yelled that I need a knife. Some guy handed me one.

"I went back down, cut the seat belt and hollered: 'I got one! I got one!' Steve Hubler helped me drag him ashore, and we realized he was alive when we turned him on his side and saw he was breathing.

"I rushed back to the plane and swam back in the hole. This time the water had settled and was cleared. I saw this boy with yellow hair and a T-shirt, undid his seat belt and pulled him up and someone helped us ashore."

STEVE HUBLER—EX-FIREFIGHTER HAS NIGHTMARES ABOUT PILOT

Steve Hubler, a former volunteer firefighter from New Jersey, was by the pool of the Econo Lodge. He ran over with his scuba gear.

He helped carry the three children to shore. Matthew, the survivor, showed no signs of life at first. His arm was shattered into the shape of an S.

"The part I'll never forget was the pilot, the last one. We had a hell of a time getting him out. It was so dingy and dark in there. He was trapped in there good. His face was so frightening. I knew he was dead."

Hubler shivers when he remembers the rescues. He has nightmares about it.

"It's going to stick with me for the rest of my life. I wish to God we could have saved six lives, but at least we saved the boy's life. If I know that Matthew has a chance to live, I'm happy."

KRISTY KREIDLER—LIFEGUARD ON BREAK STRUGGLED TO FREE MOM

Kristy Kreidler, a spring breaker from Ohio State University and a lifeguard, was having lunch across the street at Denny's. She dashed across North Roosevelt Boulevard and jumped in.

As precious seconds ticked away, she struggled to free those trapped within.

"We got the door open, pulled on this woman's leg. Then we found her seat belt, unbuckled it and pulled her out."

MICHAEL KURANT—DISAPPOINTED THAT HE COULDN'T SAVE ANYONE ELSE

Michael Kurant, a hardware delivery driver and volunteer Monroe County firefighter, was on his way out of town. He pulled his Jeep up on the sea wall. Half a dozen people were around the plane.

"The first thing I thought was everybody was dead," he said. "I didn't expect to get anybody out of the plane alive."

He helped pull Pamela Blackburn out. She took a breath that surprised them all. They found her pulse. They held her head out of the water. They put her on a backboard lifted her up the seawall and gave her first aid.

When it was all over, he was disappointed and angry.

"I was madder than hell. We had done so much, and it didn't do any good. With everything the people in the street did, and the police and fire and paramedics \* \* \* we couldn't save anyone else."

AL RODRIGUEZ—OFFICER MADE CALL: COME FAST, LIGHTS AND SIRENS

Al Rodriguez, first police officer on the scene, pulled up at 12:34 p.m. He keyed his microphone: "10-18," he told his dispatcher, the code for come fast, lights and sirens.

He took off his gun belt and jumped in, shoes and all. Rodriguez held on to a paramedic trying to free the victims.

The children in the accident gave everyone involved an increased sense of urgency, Rodriguez said.

"You think about your own, and you put more effort into saving them."

GARY ARMSTRONG, DAVID LARIZ, ED STRESS—GAVE MOUTH-TO-MOUTH TO ONE CHILD, THEN ANOTHER

Key West Police Lt. Gary Armstrong pulled up. The crowd was growing. He yelled for everybody to get back. They did, making room for the victims.

Paramedics were busy trying to revive Jonathan and Martha at the sea wall or pulling bodies out of the wreckage. With the help of Deputy Chief David Lariz and officer Ed Stress, Armstrong gave mouth-to-mouth resuscitation to one child and then the other.

"Everybody was working at top speed," Armstrong said. "It was chaotic, but everybody jumped in and worked and worked and worked. It just seemed like everybody clicked in and set aside very difficult feelings. It was impressive."

KUNKO CELCER—MEDICAL TECH FOUGHT TO GET AIR TO BOY

Kunko Celcer, emergency medical technician, was working at her second job at a car rental company when she heard the commotion.

She hurried over to help her fellow paramedics. The first thing she noticed was that someone was trying to put a mask on Matthew. She helped work on him.

"He was looking at me," she said. "He was trying to breathe on his own."

On the way to the hospital, the boy fought back efforts to insert a tube in his airway.

"I've got to get this kid some air," she kept thinking. "It was scary, but you don't really think of that until it's over."

ALVAH RAYMOND SR.—THIS WAS THE WORST THING I'D EVER SEEN

Alvah Raymond Sr., a member of the Coast Guard, was riding with an ambulance as part of his training for emergency medical technician. Eight other classmates at Florida Keys Community College participated in the rescue.

Raymond helped perform first aid on Matthew. As a volunteer firefighter, Raymond had seen plenty of tragedies, but nothing quite like this. "This was the worst thing I'd ever seen."

PAUL SCOTT, CARL CLEARY—PARAMEDICS HELP GASPING BOY

Pamela and Matthew Blackburn were out of the water when Paul Scott, an Atlantic Key West Ambulance paramedic, arrived. While his partner, Carl Cleary, got equipment ready, he handed his radio to a bystander and jumped in the water.

Scott helped with Jonathan. Another paramedic worked on Martha.

At the ambulance, Matthew was gasping. Cleary gave him oxygen and tried to clear his airway. Scott tried to keep Jonathan alive.

"You don't really think about other things but whatever you're doing. You want to do so much," Cleary said.

"There wasn't a whole lot of time to be thinking," Scott said. "It was all on autopilot."

PABLO RODRIGUEZ—PARAMEDIC COULDN'T SEE FOR "BLOOD, SILT, GASOLINE"

Pablo Rodriguez, another paramedic and the crew's supervisor for the day, grabbed his

fins, mask and snorkel and jumped in the water. He found a small cramped opening in the plane's fuselage and started to pull people out.

He took Jonathan to the sea wall, swam back to help untangle others.

"You couldn't really see because there was blood and silt and gasoline."

In all, he helped to free four, including the pilot who was strapped in.

"It was one of the saddest things I've ever experienced. The only thing that I can gain is the importance of teamwork and how grateful I am that we have such an experienced crew.

"It truly has devastated everyone, everybody that was involved."

PAUL HANSEN, JIM KAVANAUGH—PARAMEDICS HOPSCOTCH FROM VICTIM TO VICTIM

Paul Hansen and Jim Kavanaugh, also paramedics, were at the emergency room when they got the call. They got some Coast Guard trainees at the hospital to join them.

"When we got there it was pretty chaotic," Kavanaugh said.

Several bodies were out of the plane. Two groups of people were giving first aid to two of the victims. A kid was coming out of the water.

"It was like nothing I'd ever seen before," Hansen said. "There is nothing that prepares you for anything like that. You can read the book till you're blue in the face."

Kavanaugh made sure every patient was cared for, and then carried backboards out to the plane.

Hansen worked on Martha, then her father, then her mother, then back to the little girl. He took her to the hospital, where everyone was busy, so he stayed and helped out.

Kavanaugh radioed the hospital: three children and a woman on the way, more to come.

He asked firefighters and police officers to drive ambulances so paramedics could tend to patients.

Within 15 minutes of transporting the victims to the hospital, the paramedics had four other emergency calls. It wasn't until that night that they had time to reflect.

Throughout the ordeal, the paramedics said, they kept their thoughts focused on the job.

"If you sit there and start to flip out about it, you're really not going to help anybody," Hansen said.

HAROLD GORDON—MAINTENANCE MAN HELPED WITH CPR

Harold Gordon, a Stock Island maintenance man, was taking his wife to bingo when he saw the crowd. He pulled over. Two boys were in the ambulance. A paramedic asked for help with Jonathan.

"Push down on his chest! Harder! Do it again, harder," Gordon remembers. "I said to myself, 'This little kid is too small.' I had a feeling he was dead already."

He rode to the hospital with the brothers, then went home.

"There was nothing else I could do. I just felt terrible.

"Grown people are bad enough, but little children really hurt."●

## PROPOSALS TO INCREASE THE GRAZING FEE

● Mr. MCCAIN. Mr. President, I would like to address the amendment that was offered by my colleague, Senator BUMPERS, to S. 1549. Senator BUMPERS' amendment would have substituted a two-tiered grazing fee for the new grazing fee formula in the bill. After serious consideration, I supported the motion to table the Bumpers amendment,