

we mandate that they increase their minimum wage or whatever they are paying by 21 percent as proposed, you are going to be putting some of those jobs out, maybe put the business out.

And what are these jobs? A lot of them are starting level jobs. I worked for minimum wage 27½ years ago. It was when my wife and I were first married. I worked for it before then as well. But I remember that was the best job we could get. We both worked. At that time I think the minimum wage was \$1.60 an hour, and was it enough? No. Did I want more? Yes. Did I learn part of the trade? And that trade at the time was a janitor service. Yes. And I started my own.

So the minimum wage was not so much a minimum wage as it was a starting wage. It helped me learn a craft or business, and I was able to start a business. I employed more people and they made more than the minimum wage. But what we are doing, if we increase the minimum wage significantly, what we are going to be doing is telling all people if your job does not pay at least this amount, it is against the law for you to have a job, we are going to pull up the economic ladder. The Federal Government is determined if your job does not pay that amount, you should not have it; it is against the Federal law.

I think that is wrong. That is the heavy hand of the Federal Government coming in and saying we know best. We know you should be making more. Now, what is right in Boston, MA, may not be what is right in my hometown of Ponca City, OK.

So I just really disagree with this idea of big Government knows best; we are going to mandate, we are going to tell everybody what to do and act like there are no economic consequences whatsoever.

Sure, there are economic consequences. You are going to be pricing some jobs—maybe the job is pumping gas—out of the market. That is one of the first jobs that a lot of my group growing up were working at. You do not see that anymore. Most of the gas stations are self-serve. That may not be the greatest job in the world, but I would rather have that young person coming in and getting a start and maybe learning the fact this is not good enough; I cannot make enough money, so maybe I need to go back and complete high school or maybe I need to go into vo-tech or maybe I need to go get some additional training. That is all part of the educational process.

We say, "Oh, no. If the job doesn't pay over \$5.15 an hour, you can't have it; it is wrong." Or maybe the job is sacking groceries. You do not see many jobs like that. We used to have those jobs. The Federal Government is going to put people out of business and back on the streets, people who need that job training.

A lot of people in Boston, a lot of people in different parts of the country need that first job. That first job

teaches them a lot more than just the dollar amount. And we should give them that opportunity. We should not be pulling the economic ladder up and saying, no, if it does not pay that much, it is not worth it; you go ahead and stay home. And, yes, so what if you are 16 years old and you do not have anything else to do, just stay home. And then what happens? A lot of those idle people say, well, I need some money. How can I make money? Maybe I can make money running drugs, maybe I can make money stealing things, whatever. A lot of people get into trouble because they have time on their hands.

That is a mistake. We should not price them out of the marketplace, and that is what is being proposed.

And then some of our colleagues say, well, there are no economic consequences whatsoever. This is not going to mean an increase in unemployment. I think it just defies the law of supply and demand. If there are no negative economic consequences by a 21-percent increase in the minimum wage, why not increase it 50 percent? Why not increase it 100 percent? Maybe we should have a perfecting amendment that says the minimum wage will be \$10 an hour?

That is all right. If you work 2,080 hours a year, that is \$20,000 a year. I think that would be nice. I would like for everybody to make \$20,000 a year. So maybe we should perfect this amendment. If you are not going to have any negative consequences by a 21-percent increase in the minimum wage, let us make it 100 percent, make it \$10 an hour. I just think that argument makes no sense whatsoever. Common sense would say, hey, this is going to cause some problems for some people and those some people are going to be the people on the lowest end of the economic scale that maybe are trying to crawl that ladder and we are going to pull the ladder up. We should not do that.

I wish to make a couple of comments. Yes, there are negative economic consequences. CBO said that this is an unfunded mandate on cities and counties and States and tribes of about \$1 billion over the next few years. They said it is an unfunded mandate on the private sector to the tune of over \$12 billion for the next few years.

The real problem is that this is going to be telling a lot of young people we are sorry; if you cannot find a job that pays this much, we do not want you to have a job; it is against the law for you to have a job. That is a mistake. I think that is a serious mistake. We should not do that.

So I will urge my colleague at the appropriate time to oppose this amendment if and when it is offered. It does not belong in this bill. Some people are kind of frustrated Congress does not get its business done, and on occasion I may join that frustration. But this amendment is for politics because the leaders of organized labor are in town,

because the leaders of organized labor are endorsing Clinton and promising record amounts, record amounts, \$35 million in political campaign contributions. This is special interest legislation and the real problem is the real people it will hurt will be low-income people who need jobs.

So I will urge my colleagues at the appropriate time to defeat this amendment.

Mr. President, I yield the floor.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I join with my friend from Oklahoma relative to his concern over what the minimum wage will do if there is an increase. And I believe the increase proposed by the Senator from Massachusetts is from \$4.25 to \$5.15. That is about 45 cents I believe over a 2-year period.

#### FEDERAL REGULATIONS

Mr. GORTON. Mr. President, I have today a bizarre example of the unthinking impact of conflicting Federal regulations on other conflicting Federal regulations and the fact that so often our bureaucracy simply does not think out the consequences of what it does.

Recently, I was in the Tri City area of east central Washington and was discussing his business with the manager of a Unocal fertilizer plant in the city of Kennewick. He brought to my attention a fairly recent message that he had received from the U.S. Coast Guard. The Coast Guard has written to everyone with various kinds of facilities in ports from California through the State of Washington, warning them about potential terrorism, pointing out that the base of the explosive at the Oklahoma City courthouse disaster was fertilizer, and telling the manager of this fertilizer plant how important it was to guard against terrorism, to guard against outsiders getting into the facility and engaging in terroristic acts.

Well, it was oratory in nature and did not suggest any particular things to do. I do not think it suggested anything that the plant was not already doing. But at the same time, Mr. President, the Unocal plant was informed by the Environmental Protection Agency of a truly bizarre proposal on its part.

As a fertilizer plant, and because fertilizers do, under some circumstances, raise certain health risks and also certain explosive risks, this business is subject to widespread regulation on the part of the Occupational Safety and Health Administration and the Environmental Protection Agency. In fact, those regulations are so detailed in nature that 23 people out of 150 employees in the plant are devoted almost solely to abiding by various governmental regulations.

In any event, the Environmental Protection Agency announced a new regulation to apply to some 122,000 facilities across the country. That regulation would require each of these 122,000 facilities to make public the worst-case scenario, the worst thing that could possibly happen if any of the materials handled by or stored in the facility were released.

So, in other words, Mr. President, we have a Federal Government warning against terrorism with one hand and instructing companies to publicize the worst thing a terrorist could possibly do with their materials on the other hand—in detail.

The Environmental Protection Agency, when it was asked how many deaths had resulted off of the site of one of these 122,000 plants from the release of such material, came up with the answer “zero.” No such deaths. But they have a regulation which will tell the terrorists exactly how to cause those deaths in very, very large numbers.

Mr. President, there is no question but that safety regulations are vitally important and environmental protection regulations are important. This Unocal plant, I may say, had 1 injury that caused one day of lost time in the last several years in its plant, and that was from heavy lifting, not the use of hazardous material. It runs an extremely safe plant.

But, Mr. President, could we possibly come up with a better illustration of the proposition that we need to look over our old regulations after a certain period of time and determine whether or not they are still relevant or still working; that before we impose new regulations, we ought to figure out what the cost and the downside is against whatever the purported gain is before we impose them? Are we going to simply publicize ways in which to engage in terrorism, when we have not had any serious problems from the very condition that the regulation is designed to control?

Mr. President, should we not have some kind of coordination among various Federal agencies as to whether or not the regulation of one is not going to undercut the very purpose for which another exists? Well, Mr. President, I think the answer to these questions is quite obvious. Here is another example of the use of the so-called safety regulation or environmental regulation in a way which is destructive of the very goals it seeks in the first place.

Mr. President, I ask unanimous consent that the Coast Guard missive and the letter from Mr. Powell of Unocal be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF TRANSPORTATION,  
U.S. COAST GUARD,

*Alameda, CA, January 14, 1996.*

DEAR WATERFRONT FACILITY OPERATOR/  
MARITIME TRANSPORTATION COMPANY: As a result of a series of recent U.S. judicial proceedings, I have received an advisory indicating possible retaliatory acts against U.S.

interests. The sentencing of Sheikh Omar Abdel Rahman and nine others for their involvement in the bombing of the World Trade Center and other New York landmarks may prompt sympathizers to possible retaliation. Similar responses could also follow if the U.S. extradites Musa Abu Marzuq, a member of the “Islamic Resistance Movement (HAMAS)” to Israel for his involvement in terrorist activities there. In addition, Salman Rushdie, the target of an Iranian death order, is currently on a multi-city U.S. book tour. Finally, the trial of alleged bomb maker and terrorist Ramei Ahmed Youssef is expected in the first half of 1996. He and his accomplices are charged with conspiring to bomb a U.S. commercial airlines in the Asia Pacific region.

The possible retaliatory acts to these judicial proceedings may include attacks against the U.S. transportation infrastructure. It should be emphasized that no specific threats against any form of transportation have been identified to date. However, the Secretary of Transportation believes it is prudent and appropriate to ensure deterrence and prevention of these activities. Therefore, I am advising all waterfront facility operators and companies involved in maritime transportation in Northern California to take appropriate and immediate actions to ensure that adequate measures are in place to prevent or deter terrorist actions against facilities and port personnel. These actions should begin with a review of your security measures already in place and an assessment of whether or not additional security measures are necessary.

To facilitate information sharing and response actions during a security-related emergency, the Department of Transportation has established a hotline for reporting incidents. The number for the hotline is 1-800-424-0201. Should you receive any threats or notice any unusual activities which may compromise your security, I urge you to contact this hotline and appropriate law enforcement agencies. You may also contact the Marine Safety Office's watch office at (510) 437-3073 to report these incidents.

Your cooperation in ensuring the safety of the port is greatly appreciated. Should you have any questions regarding this matter, please contact Lieutenant Lee of my staff at (510) 437-5873.

Sincerely,

D.P. MONTORO,  
*Captain, U.S. Coast Guard.*

UNOCAL PETROLEUM PRODUCTS &  
CHEMICALS DIVISION,  
*Kennewick, WA, June 26, 1995.*  
Hon. RICHARD “DOC” HASTINGS,  
*House of Representatives, Longworth Office Building, Washington, DC.*

DEAR REPRESENTATIVE HASTINGS: Thank you for the time you afforded my entire family when we were in Washington, D.C. last week. Meeting a congressman in his office was a big event for us.

During our brief talk I told you that I was in town for a meeting of the Fertilizer Institute where EPA's proposed risk management (RM) regulations were discussed in depth. These regulations which focus on community safety are explicitly called for by the 1990 Clean Air Act Section 112(r)(7). In addition to our internal discussion, an EPA spokeswoman, Dr. Lyse Helsing of EPA's Chemical Emergency Preparedness and Prevention Office, provided us with an update of the status of their proposed regulations. EPA's proposed RM regulations will substantially overlap with existing regulations also called for by the Clean Air Act and already implemented by OSHA to protect worker safety. These are OSHA's Process Safety Management (PSM) regulations which went into ef-

fect in 1992. Unfortunately, the overlapping portions of the regulations are not quite identical. The Fertilizer Institute and Unocal feel this problem can be easily solved and that the solution would be in line with President Clinton's recent directive to eliminate or modify regulations that are obsolete or unnecessary.

The attached letter explaining the problem with these overlapping regulations was drafted by the Fertilizer Institute. It briefly explains the problem and offers a solution. I hope you will consider sending this or a similar letter to the EPA.

One element in the RM regulations called for by the Clean Air Act is not dealt with by OSHA in its PSM regulations. That is a requirement that industries storing certain hazardous materials above threshold quantities make public the “worst case” scenario for the release of this material including its impact on the surrounding community. RM regulations will effect 122,000 facilities in this country according to EPA's spokeswoman Dr. Lyse Helsing. When asked how many such worst case releases had ever resulted in an injury to a person offsite from the affected facility. Dr. Helsing stated that EPA's records showed zero deaths. She did not comment on injuries, but I suspect there is scant evidence of a problem. However, the requirement to publicize worst case information will be costly and we will in the process of releasing such information make it known to potential terrorists as well as to average citizens. In the wake of Oklahoma City, the Trade Tower incident in New York and subway incidents in Japan, I doubt that public safety will be enhanced by making worse case information public. This is especially true in this instance where EPA acknowledges no history of problem in this country.

The clock is ticking on EPA's court ordered deadline of March 1996 to issue RM regulations with a requirement for publication of worst case scenarios. I urge you to take action to avoid implementation of this aspect of the Clean Air Act.

Thank you for your time, your consideration and your constant efforts at improving the workings of our government.

Sincerely,

MARK R. POWELL.

Mr. GORTON. Mr. President, I yield the floor.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER (Mr. ASHCROFT). The Senator from Oklahoma is recognized.

Mr. NICKLES. Mr. President, I compliment my colleague from Washington for that statement. That may be the most vivid example of bureaucracies running amok, actually endangering the lives of some of our constituents. That is unfortunate. I appreciate the Senator for bringing that to our attention. I hope we will be able to take some corrective action.

#### PRESIDIO PROPERTIES ADMINISTRATION ACT

Mr. MURKOWSKI. Mr. President, I wish to continue our earlier discussion a little bit more. I remind this body of the pending business that is before the Senate, and that is a package of parks bills, some 56 titles, and a couple of them are contentious—Utah wilderness and Presidio. And as we look at getting things done around here, it is inconceivable to me that we would not finish