

According to Reports of the General Accounting Office, the U.S. Postal Service controlled virtually all of the Express Mail market in the early 1970's; by 1995 its share had dropped to approximately 13 percent. Similarly, the Postal Service is moving considerably fewer parcels today than 25 years ago. In 1971 the Postal Service handled 536 million parcel pieces and enjoyed a 65 percent share of the ground surface delivery market. Compare this to 1990 when the Postal Service parcel volume had dropped to 122 million pieces with a resulting market share of about 6 percent.

Even the Postal Service's "bread and butter" mail, first-class financial transactions and personal correspondence mail, is beginning to show the effect of electronic alternatives. Financial institutions are promoting computer software to consumers as a method of conducting their billpaying and general banking, while Internet service providers and online subscription services are offering consumers the ability to send electronic messages to anyone around the world or just around the corner. Similarly, many of us have become accustomed to the immediacy of the facsimile machine. These new communication technologies all carry correspondence that formerly flowed through the Postal Service. These former sources of revenues supported a postal infrastructure dedicated to the mission of universal service.

This shift in postal revenues will have a negative long-term effect on the financial well being of the Postal Service. Should the Service continue to labor under the parameters established by the 1970 Act, its inability to compete, develop new products and respond to changing market conditions jeopardizes its future ability to provide universal service to the diverse geographic areas of our Nation. We must make adjustments to the Postal Reorganization Act of 1970 which will allow the Postal Service more flexibility in those areas in which it faces competition while assuring all postal customers of a continued universal mail service with the protection of reasonable rates that can be easily calculated and predicted. My legislation attempts to meet this goal by replacing the zero-sum game that has driven postal ratemaking for the last 25 years with a system that reflects today's changing communication markets.

Mr. Speaker, I propose to allow the U.S. Postal Service the opportunity to make a profit and remove the break-even financial mandate of existing law that promotes the wide, yearly, swings of postal profit and deficit and weeks of negotiations on arcane economic assumptions for ratemaking purposes.

I propose to divide the product offerings of the Postal Service into two primary categories. The first, the "non-competitive mail" category, represents all single piece letters, cards and parcels as well as those classes of users without significant alternatives. The class will utilize a postage rate "cap" process by which the associated customers can easily determine postal rates. The second category will be the "competitive mail" category and will include those mail classes, products and services the Postal Service provides through the competitive marketplace. Within the category the Postal Service may set its rates according to market forces subject to an annual audit provided to the Postal Rate Commission to assure that rates are reflective of costs while providing a

contribution to the overhead of the U.S. Postal Service. In addition, it would allow the Postal Service freedom to experiment with new offerings for a period of three years before requiring the Postal Rate Commission to permanently place it in either the competitive or non-competitive mail categories.

This legislation grants significant freedom and flexibility to the Postal Service. Consequently, other changes are needed to reflect this status. I propose to attempt to level the playing field by changing the relationship between the U.S. Postal Service and the U.S. Treasury. Several postal competitors view financial access to the Treasury as an unfair advantage of the Postal Service, while the Postal Service views it as a restriction on its financial flexibility. Similarly, I propose to apply the anti-trust laws of our nation to the Postal Service products offered in either the competitive mail or the experimental market test categories. I am also proposing that the Postal Service conduct a demonstration project that will provide us with the data needed to determine the continued necessity of providing the Postal Service with sole access to individual private mailboxes.

Mr. Speaker, last Congress when I introduced my bill I included a provision intended to settle once and for all the nagging problem of an agency's chief law enforcement officer and member of postal management serving as its Inspector General by establishing an independent Inspector General for the Postal Service. A provision of Public Law 104-208, adopted in the closing days of the 104th Congress, addressed that issue by mandating the establishment of an independent office of the Inspector General. The Subcommittee is monitoring the progress of this office and has high expectations for this new Inspector General.

Also, the bill directs stringent reporting requirements to the Congress and to the U.S. Postal Rate Commission by providing the Commission with the ability to issue subpoenas, manage proprietary documentation and procure necessary information. This legislation places significant responsibilities on the Commission and, reflective of that, directs that the Commission will have for the first time its own Inspector General.

My proposal, Mr. Speaker, also increases the penalties for repeated mailings of unsolicited sexually oriented advertising as well as the mailing of hazardous materials and controlled substances. It protects workers on the job by making it a felony to stalk, assault or rob a postal employee. Just this past month we saw a letter carrier killed while on duty in our nation's capital and we cannot allow those that would harm or rob postal carriers to go without significant punishment. My proposal addresses this serious situation by increasing the penalties for such acts of violence.

I stress that significant areas of current law remain intact. This legislation does not affect the existing collective-bargaining process. However, the Subcommittee recognizes that serious problems exist between postal management and labor. To address this dire situation, I propose to form a Presidentially appointed Commission made up of non-postal union and corporate representatives as well as those well known in the field of labor-management relations. The Commission would be charged with addressing these issues in detail and provide guidance to the Congress and the Postal Service on any needed changes.

Mr. Speaker, this bill is, indeed, far-reaching in its scope. Some have said there is no consensus for reform while others have requested reform, due to the fact that the USPS has had two years of financial success and high delivery satisfaction numbers. My response is that this is precisely the time to consider this issue.

Reforms of this scope and magnitude are best enacted outside an atmosphere of crisis. Our failure to consider these reforms in a timely manner will leave the Postal Service ill-equipped to operate in a 21st Century environment. Without such action, Congress and the Postal Service will ultimately face conditions where thoughtful reforms and a deliberative process will be unachievable.

Mr. Speaker, my bill offers the Postal Service, its customers and employees—and the American people—the opportunity to equip one of our Nation's most valued institutions with the requisite tools to remain a viable and fiscally sound entity well into the next century.

#### INTRODUCTION OF THE WORKING FAMILIES FLEXIBILITY ACT

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. BALLENGER. Mr. Speaker, I am joined today by many of my colleagues in the introduction of the Working Families Flexibility Act which would allow private sector employers to provide their employees with the choice of taking time-and-a-half compensatory time as payment for overtime in lieu of cash wages. This legislation is family friendly and answers the call of many workers for increased flexibility and choices in the workplace.

The Fair Labor Standards Act, which governs wages and hours of work, was written nearly 60 years ago for a predominantly male work force and a workplace primarily comprised of manufacturing firms. Yet, the demographics today are dramatically different. Sixty percent of women are employed outside of the home and two-earner families have become increasingly common.

The Fair Labor Standards Act, however, fails to recognize these changes and, as such, restricts the ability of employers to meet the needs of their work force. Many employees are finding it increasingly difficult to find enough time for important family obligations or outside interests, making receiving compensatory time instead of cash overtime an attractive option. Seventy-five percent of respondents in a national public opinion survey favored giving employees the option of receiving time off instead of cash wages for overtime hours worked.

Many employers who want to be family friendly find that flexible scheduling can be extremely difficult for employees who are paid by the hour and covered by the overtime provisions in the law. Suppose an employee has a terminally ill parent who lives several States away. Days off with pay can become precious for that employee when a 2-day weekend does not provide enough time to travel and spend time with that parent. When that employee works a few hours of overtime each week, he or she may prefer to be paid with time off rather than with cash wages. If the individual is employed in the public sector, then

he or she would have the choice of receiving paid time off in lieu of cash wages for overtime hours worked. However, under current Federal law, if the individual is employed in the private sector then he or she cannot choose paid time off, even if that form of compensation is preferred.

The Working Families Flexibility Act would allow employers to make compensatory time available as an option for employees. Employees would have the choice, through an agreement with the employer, to take overtime pay in the form of paid time off. As with overtime pay, the compensatory time would accrue at a rate of time-and-a-half.

Opponents of the Working Families Flexibility Act have raised concerns about employees being coerced by employers into choosing compensatory time over cash wages. Thus, the legislation includes numerous protections to ensure that employees cannot be pressured into one choice or the other.

Employees could accrue up to 240 hours of compensatory time within a 12-month period. The legislation would require the employer to annually cash-out any unused, compensatory time accrued by the employee.

Employees could choose when to take accrued compensatory time, so long as its use does not unduly disrupt the operations of the business (the same standard used in the public sector and under the Family and Medical Leave Act.) Employers would be prohibited from requiring employees to take accrued time solely at the convenience of the employer.

At any time, an employee could withdraw from a compensatory time agreement with their employer or request a cash-out of any or all accrued, unused compensatory time. The employer would have 30 days in which to comply with the request. The legislation would also require an employer to provide the employee with at least 30 days notice prior to cashing out any accrued time in excess of 80 hours or prior to discontinuing a policy of offering compensatory time.

This legislation does not eliminate or change the traditional 40-hour work week. It simply provides employees with another option in the workplace—time off instead of overtime pay. This concept may be revolutionary to some, but to America's workers, who are increasingly frustrated about coping with the demands of work and family responsibilities, it is a long overdue change.

I urge my colleagues to respond to the needs of America's workers by supporting the Working Families Flexibility Act.

#### KEEP THE NAME AS DEVILS TOWER

HON. BARBARA CUBIN

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mrs. CUBIN. Mr. Speaker, today I am introducing legislation to ensure that the name of Devils Tower National Monument remain unchanged. I introduced this bill during the 104th Congress and since that time I have received numerous positive comments and support from constituents from around the Devils Tower area. In fact, my office has received a petition with an estimated 2,000 names from not only those in and around the monument

but from all over the country of those concerned with changing the name of this beloved landmark.

For more than 100 years the name "Devils Tower" has applied to the geologic formation in my State and has since appeared as such on maps in Wyoming and nationwide. The name was given to the monument by a scientific team, directed by Gen. George Custer and escorted by Col. Richard Dodge in 1875, and is universally recognized as an important landmark that distinguishes the northeastern part of Wyoming. The monument has brought a vital tourist industry to that portion of the State due to its unique character and structure.

According to a July 17, 1996, release by the U.S. Board on Geographic Names, the National Park Service has advised the board that several native American groups do intend to submit a proposal, if one has not already been submitted, to change the name of the monument. On September 4–6, 1996, the superintendent of Devils Tower, Deborah Liggett, gave a presentation at the Western States Geographic Names Conference in Salt Lake City, UT, giving the native American perspective.

During a July 1, 1996, meeting with Ms. Liggett she gave me her assurance that she had no intention of proposing a name change for the monument, and made it clear to me that no one else was in the process of initiating a name change. The legislation that I am introducing today on behalf of the State of Wyoming will ensure that the name of the geological formation, historically known as Devils Tower, remain unchanged.

It is my belief and the belief of hundreds of people from around the region that a name change will only bring economic hardship to the tourist industry in the area. I cannot and will not stand idly by and allow that to happen. I commend this bill to my colleagues and urge them to join me in cosponsoring it.

#### A BEACON-OF-HOPE FOR ALL AMERICANS: ASQUITH REID

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. OWENS. Mr. Speaker, with the 1996 election behind us, this Nation has completed another cycle for the ongoing democratic process which makes America great. The electoral process and the public officials selected through this process are invaluable assets in our quest to promote the general welfare and to guarantee the right to life, liberty, and the pursuit of happiness. It is important, however, Mr. Speaker, that we also give due recognition to the equally valuable contribution of non-elected leaders throughout our Nation. The fabric of our society is generally enhanced and enriched by the hard work done year after year by ordinary volunteer citizens. Especially in our inner city communities which suffer from long public policy neglect, local grassroots leaders provide invaluable service. These are men and women who engage in activities which generate hope. I salute all such heroes and heroines as Beacons-of-Hope.

Asquith Reid is one of these Beacons-of-Hope residing in the central Brooklyn community of New York City and New York State.

While Asquith Reid has served as an electrical engineer employed with the telephone industry, most of his time is spent as a political engineer. He has guided campaigns for district 18 school board candidates; for Assemblyman Nick Perry; Councilwoman Una Clark; and Congressman MAJOR R. OWENS.

Mr. Reid's most recent victory was the triumphant election of John Sampson for New York State Senator. Undoubtedly, Mr. Reid's political engineering has yet to reach its peak.

Throughout the years, Asquith Reid has worked diligently in top positions to the benefit of his community. He currently serves as chairman of the New Era Democratic Club; vice chair of District 17 Neighborhood Advisory Board; board member for the Husain Institute of Technology; and president of the Donna Reid Memorial Education Fund.

Mr. Reid was born in Hanover, Jamaica. He graduated from Kingston Technical High School and served in the U.S. Air Force from 1963 to 1967. He later graduated from Kingston Technical College with a degree in electrical engineering. Asquith and his wife, Dean, are the proud parents of two children, Michelle and Sharon.

Asquith Reid is a Beacon-of-Hope for central Brooklyn and for all Americans.

#### INTRODUCTION OF THE BREAST CANCER PATIENT PROTECTION ACT OF 1997

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Ms. DeLAURO. Mr. Speaker, I rise today to introduce the bipartisan Breast Cancer Patient Protection Act of 1997. I want to thank my colleagues Representatives DINGELL, ROUKEMA, ACKERMAN, THOMAS, BARRETT, BENTSEN, CORRINE BROWN, SHERROD BROWN, CLAYTON, CLEMENT, CONYERS, DEFazio, ESHOO, EVANS, FALEOMAVAEGA, FARR, FOGLIETTA, JON FOX, FRANK, FROST, GEJDENSON, GONZALEZ, GORDON, GREEN, HINCHY, PATRICK KENNEDY, KENNEDY, KILDEE, LAFALCE, LOWEY, McDERMOTT, CAROLYN MALONEY, CARRIE MEEK, PATSY MINK, JAMES MORAN, MORELLA, MURTHA, NADLER, NORTON, OBERSTAR, OLVER, OWENS, PALLONE, PAYNE, PELOSI, QUINN, RAHALL, RIVERS, SANDERS, SLAUGHTER, TOWNS, and VELAZQUEZ for joining me as original cosponsors.

As an active participant in the fight for health care reform, I continue to believe that we must reform the health care system to provide quality care for all Americans. Particularly important is ensuring that women receive equitable treatment in our nation's health care system.

This year, approximately 184,300 grandmothers, mothers, and daughters will be diagnosed with invasive breast cancer. Another 44,300 women will die from this disease. With one in every eight women developing breast cancer, virtually every family in America is vulnerable to this disease. That's why today I am filing a bill that sets a minimum length hospital stay for patients undergoing breast cancer treatment. This bill would require a minimum