

IN MEMORY OF FIREFIGHTER  
TRACY DOLAN TOOMEY

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 2, 1999*

Mr. STARK. Mr. Speaker, today I wish to pay tribute to Tracey Toomey, a firefighter from San Leandro, California, who died in the line of duty on January 10, 1999. He leaves a wife, Renee, and two children, Daniel and Shannon.

Mr. Toomey died while on voluntary overtime, trying to put out a six-alarm fire which consumed a nightclub in Oakland. He was a dedicated and talented firefighter.

He was born and raised in Oakland, graduating from Castlemont High School in Oakland in 1964, and went on to study at Laney Junior College. He served for two years in the United States Marine Corps, from 1965 to 1967, during which time he served in the Vietnam war.

He became a firefighter in 1972, working in Oakland for several stations, including Station 23 and 6, and was volunteering for a further station at the time of his death.

Toomey was as active in his personal life as he was in his professional life. He could often be found hiking, biking and hunting with his son. He also ran a welding business, and was skilled in the production of detailed pieces. He was a member of the California Artistic Blacksmiths' Association.

He was a committed family man and was weeks from celebrating his twenty-ninth wedding anniversary. All those who had lived and worked with him will miss him greatly. He will be remembered as one whose commitment to his job went far beyond most and for that reason I wish to pay tribute to him today, and send our deepest sympathies to his family.

EMPOWERMENT ZONE REFORM  
LEGISLATION

**HON. JAMES A. TRAFICANT, JR.**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 2, 1999*

Mr. TRAFICANT. Mr. Speaker, today I am introducing legislation to require the U.S. Department of Housing and Urban Development (HUD), when evaluating future applications for designation as an urban empowerment zone (EZ), to make an applicant's unemployment rate and poverty rate 50 percent of the criteria.

Last month, the Vice President announced 15 new urban empowerment zones. Each zone will receive \$10 million a year for ten years in federal grants and \$13 million a year for ten years in bonding authority. While many of the new zones went to needy areas, some designations raised serious questions about the designation process. HUD selected zones based on a 100-point scoring system that measured the quality of revitalization plans, poverty and unemployment rates, and private and public sector commitments made to implement the plans. An applicant's poverty and unemployment rate only counted for 25 points under HUD's current scoring system.

The scoring system presented many distressed communities across the country with a

Catch-22. In order to put together a competitive application, communities had to secure large commitments from both the public and private sector. Most of the winning applicants had commitments in excess of one billion dollars. But most distressed communities do not have billions in public and private resources to commit to an EZ application. In fact, communities with more than a billion dollars in public and private resources really don't need additional aid in the form of empowerment zone designation. It is those communities that have seen an exodus of manufacturing and other private sector jobs that most need federal assistance. But the way the EZ application scoring system was developed, those communities cannot compete.

For example, last October the cities of Youngstown and Warren in Ohio submitted a joint application for an EZ designation. The Youngstown-Warren area has a poverty rate of 51.42 percent and an unemployment rate of 17.3 percent—almost four times the state and national average. Youngstown-Warren's application was turned down. But Santa Ana, California, with an unemployment rate of only 5.6 percent and a 31 percent poverty rate, got an EZ designation. Youngstown-Warren's unemployment rate was three times higher than Santa Ana's. Youngstown-Warren's poverty rate was 20 percent higher. Yet, Youngstown-Warren's application didn't make the cut. The difference? Santa Ana was able to leverage \$2.54 billion in public and private sector commitments. Youngstown-Warren was only able to come up with about \$200 million.

The list goes on. Minneapolis, Minnesota, with an unemployment rate three percentage points lower than Youngstown-Warren's, and a poverty rate 11 points lower, received an EZ designation. The difference once again was the fact that Minneapolis was able to come up with \$2 billion in public-private sector commitments. In fact, most of the communities awarded EZ designations last month had poverty and unemployment rates significantly lower than Youngstown-Warren's. But they all had very strong public and private sector commitments.

I agree that EZ applicants should demonstrate strong local and private participation. But something is wrong when a community with a poverty rate of more than 50 percent and an unemployment rate of 17.3 percent is turned down, and a community with a poverty rate of 31 percent and an unemployment rate of only 5.6 percent is approved. EZ designations should be reserved for those communities that desperately need to attract private sector jobs.

My legislation will change the scoring system HUD uses in evaluating EZ applications so that, in the future, struggling communities will have a fighting chance to get the federal assistance they so desperately need. The Traficant bill will end the Catch-22 many communities faced in the recent round of EZ awards. The bill would still require communities to put together applications with strong public and private commitments. But it would give an applicant's poverty and unemployment rates equal footing with public and private dollars. That's the way it should be.

This legislation is a common sense fix to ensure that future EZ designations go to the neediest communities.

INTRODUCTION OF TRUCK SAFETY  
LEGISLATION

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 2, 1999*

Mr. WOLF. Mr. Speaker, I am introducing legislation that will improve the safety of our highways for the millions of motorists who use them. Very simply, my legislation moves the Office of Motor Carriers (OMC) from the Federal Highway Administration (FHWA) to the National Highway Traffic Safety Administration (NHTSA).

TRUCKS ARE DANGEROUS

In 1997, 5,355 people died on America's highways in truck related accidents. That was not only more people killed than in the previous year, but more people than any other year in this decade. Regardless of who's at fault, when a tractor-trailer is involved in an accident on our highways, the consequences are too often fatal. I should note that many, if not most, trucks are operated safely and their drivers are concerned first and foremost with safety. Unfortunately, there are always operators on the margins who make the roads unsafe and in 1997, the last year for which figures are available, the number of people killed in truck related accidents has risen to a new high for the decade. The trucking industry dismisses these figures by noting that the per-vehicle-mile death rate has gone down. They're right. But the fact remains that the number of people who died in 1997 from accidents rose.

To put the issue in perspective, compare these figures to the aviation industry. What would our response be if the aviation industry suggested that only 5,355 people died in airline crashes? What if we rationalized that as a percentage of miles traveled, there has been a reduction in fatalities? There would be outrage in America. Last year, the domestic aviation industry's rate of death's per mile traveled also decreased. But the actual number of aviation related fatalities decreased too, all the way to zero. This must be our goal: a reduction in the both actual and per-vehicle-mile deaths on our highways. We are talking about real people—not just statistics.

CURRENT EFFORTS TO MONITOR THE INDUSTRY ARE  
LACKING

Federal efforts to monitor the trucking industry for safety are falling short. The Office of Motor Carriers (OMC) which is responsible for the oversight of the trucking industry is a component of the Federal Highway Administration (FHWA), the agency principally tasked with managing over \$25 billion in highway and construction dollars. Locating OMC under FHWA has placed a lower priority on truck safety issues and blunted some of the initiatives needed to maintain an effective and forceful monitoring program. In fact, OMC personnel have become too close to some in the trucking industry which I believe has compromised their effectiveness.

Recently, the U.S. Department of Transportation Inspector General (DOT IG) completed a study of OMC and its close ties to the trucking industry. In the attached report summary, the IG found that OMC leadership has engaged in a "strategy . . . devised to solicit the

trucking industry and third party communications to Congress in order to generate opposition to the OMC transfer provision in [Congressional legislation].” In short, OMC contacted the industry it is charged with regulating to solicit support to defeat a proposal to move the OMC to the National Highway Traffic Safety Administration (NHTSA). OMC officials have effectively gotten in debt to the very people they are supposed to regulate.

SOLUTION: CONSOLIDATE OMC FUNCTIONS IN ANOTHER SAFETY AGENCY

In my opinion, the rising number of deaths and the poor oversight of the trucking industry by OMC is partially a result of OMC's location at FHWA. FHWA is skilled at building and maintaining roads, but has done a poor job at monitoring the trucking industry. This task has not been high on the priority list. Therefore, I have suggested a reorganization where OMC will become a part of an existing or new managerial structure whose primary mission will be safety. I have suggested NHTSA, and I recognize the possibility that a better structure may exist. The legislation I introduce today, if not the answer, is a good place to start.

The dispatch with which this proposal is implemented becomes critical when we consider that on January 1, 2000, less than a year from now, the Northern American Free Trade Agreement (NAFTA) will permit trucks crossing the border from Mexico to travel anywhere in the United States. Anywhere. Currently, Mexican trucks are permitted to travel in border commercial zones which range from three to 20 miles. A recent DOT IG report, which is also enclosed, found that of the 3.7 million trucks from Mexico crossing in 1998, only 17,332 were inspected, and of this number, 44 percent were found to be in such disrepair that they were immediately taken out of service. These unsafe trucks could be in your state next year. These trucks could be on every road in America—most uninspected and many grossly unsafe. We need to address this problem now.

Finally, Mr. Speaker, the House Appropriations Subcommittee on Transportation, which I chair, will be holding hearings on this important issue Tuesday, February 23.

HUNTINGDON FIRE COMPANY, NO. 1, 125 YEARS OF EXCELLENCE

### HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 2, 1999*

Mr. SHUSTER. Mr. Speaker, I rise today to recognize the 125th Anniversary of the Huntingdon No. 1 Fire Company located in my District in Huntingdon County, Pennsylvania.

Most people take fire protection for granted, yet don't realize the intensive undertaking involved in training and maintaining a fire department. Huntingdon No. 1 Fire Company has shouldered this responsibility well, as evidenced by their solid record of outstanding service. Created by an ordinance passed in 1801 making bare provisions for the town's fire protection, Huntingdon No. 1 Fire Company has evolved into a sophisticated and flexible department capable of managing a wide variety of emergencies.

Mr. Speaker, please join me in commending each member of the department, past and

present, on a job well done. They have helped safeguard Huntingdon for the past 125 years and will continue to do so far into the future. I am indeed very privileged to serve such a distinguished group of individuals in the U.S. House of Representatives, and I wish them the best in their future endeavors.

IN MEMORY OF JUDGE JAMES P. KILBANE

### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 2, 1999*

Mr. KUCINICH. Mr. Speaker, I rise today in memory of Judge James “Seamus” P. Kilbane, who dedicated his life to serving the public.

Judge Kilbane graduated from St. Ignatius High School, where he was an avid athlete, in 1941. He then attended John Carroll University before he served in Europe during World War II as a first lieutenant in the infantry. Following his service in the Army Judge Kilbane earned his Bachelor's degree from John Carroll University in 1948, working as a boiler-maker and salesman while he was in school.

In 1951 Judge Kilbane received his law degree from Western Reserve University Law School and in 1968 he earned a juris doctorate. While attending Western Reserve University he also served as a patrolman for the Cleveland Police Department. He resigned from that position in 1952 to practice law.

From 1955 until 1962, Judge Kilbane served as a member of the Ohio House of Representatives, and in 1963 and 1964 he served as a member of the Ohio State Senate. As a legislator Judge Kilbane fought for legislation that established state nursing home standards as well as legislation that supported labor and welfare.

In 1972 Judge Kilbane was elected judge of the Cuyahoga County Common Pleas Court, where he served full-time until 1990. Judge Kilbane, however, continued judging cases on a part-time basis after 1990. He was known as a well-prepared, hard working judge who always stuck to his convictions.

Judge Kilbane and his outstanding, life-long commitment to public service will be greatly missed.

IN HONOR OF THE DALE CITY CIVIC ASSOCIATION CITIZEN OF THE YEAR AWARDS

### HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 2, 1999*

Mr. DAVIS of Virginia. Mr. Speaker, I rise today to recognize a group of outstanding citizens from Dale City in Prince William County of the Eleventh Congressional District of Virginia. These remarkable individuals have been selected by the Dale City Civic Association in recognition of their many achievements and their dedication to serving their community. These award-winners are people who have gone above and beyond the call of duty on a daily basis. They are members of the Dale City community who gave of their time in order

to serve others and encourage others to be leaders. These citizens will be recognized on January 31, 1999, by the Dale City Civic Association, one of the largest, most active and accomplished Citizens Associations in the Commonwealth of Virginia. I would like to offer my congratulations to these award recipients.

The Dale City Civic Association was created over thirty years ago. Since that time, it has grown into a strong organization that has encouraged its members to volunteer their time and efforts to make their neighborhood a better place to live and work. The Association has an outstanding record of service to the community. Their work includes awarding a number of scholarships to college-bound students from Dale City, as well as monitoring development in the region and serving as a sounding board for citizens and businesses.

Citizen of the Year: David H. Dell, Sr. Mr. Dell, a twenty-two year resident of Dale City, has made a career of giving back to the community. In addition to being a Life Member of the Dale City Civic Association, Mr. Dell is also a long-time member of the Dale City Volunteer Fire Department and volunteer driver for hospital personnel, doctors, nurses and staff to get them to and from work during inclement weather. Not only does Mr. David Dell, Sr. see to the safety needs of Dale City, he is also dedicated to fostering the City's cultural well-being as Staging Director for the Dale City 4th of July Parade for the past three years. Mr. Dell has demonstrated exceptional community spirit over the past twenty-two years and is certainly deserving of the honor bestowed upon him by the Dale City Civic Association.

Young Citizen of the Year: Rachel J. Bryant. Miss Bryant is an extraordinary young citizen who has already become a strong role model to her peers. Rachel is currently a senior at Gar-Field High School. At Gar-Field, Rachel is a member and facilitator in the Gifted Education Enrichment Seminar Program for the past four years. Additionally, Miss Bryant is Vice President of her class, a member of the National Honor Society and has attended Virginia's Governor's School for Mathematics, Science and Technology where she was awarded the Macy's Scholar Award for Minorities in Medicine. Rachel is Gar-Field High School's shining star and demonstrates that our next generation is caring, selfless and dedicated.

Community Service Award: Dorothy Holley. Mrs. Holley is a volunteer who works with the elderly, local service organizations, and the less-fortunate. She spends much of her volunteer time arranging for food donations to be made to the PW Homeless Shelter, Senior Center and the PERTC Thermal Shelter. Throughout the community she is described as always willing and able to lend a hand in her community.

The Kathy Feeney Nurse of the Year: Eileen J. Yetter, RN. Mrs. Yetter has served the Dale City community at Potomac Hospital for the past eight years and is now one of the senior staff members in the Emergency Department. She is clearly dedicated to administering excellent quality care to her patients. In particular, Mrs. Yetter has helped design the state of the art Emergency Care Center at Potomac Hospital. Some of her design innovations have been duplicated in other emergency rooms across the nation. She also has worked to make the senior communities in Dale City