

The "Congressional Accountability for Regulatory Information Act of 2000" has a companion bill on the Senate side, S. 1198, the "Congressional Accountability for Regulatory Information Act of 1999." This bill was introduced by Senators SHELBY, BOND, and LOTT on June 9, 1999 and then renamed and reported by the Senate Governmental Affairs Committee as the "Truth in Regulating Act of 1999" on December 7, 1999. The House and Senate bills are both intended to promote effective Congressional oversight of important regulatory decisions.

In addition, the House version includes a provision to ensure that public's understanding of the effect of agency guidance documents (such as guidance, guidelines, manuals, and handbooks). It requires agencies to include a notice on the first page of each agency guidance document to make clear that, if the document has no general applicability or future effect, it is not legally binding. Under the CRA, "rules" subject to Congressional review are broadly defined to include not only regulatory actions subject to statutory notice and comment but also other agency actions that contain statements of general applicability and future effect designed to implement, interpret, or prescribe law or policy. Unfortunately, the Office of Management and Budget (OMB), despite a 1999 Treasury and General Government Appropriations Act directive to do so, has still not issued adequate guidance to the agencies on the requirement to submit to Congress any noncodified guidance document with any general applicability or future effect.

As a consequence, on October 8, 1999, the Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs began an investigation of the agencies' use of noncodified documents, including the specific explanations within each of these documents regarding their legal effect. I asked the General Counsels of the Departments of Labor (DOL) and Transportation (DOT) and the Environmental Protection Agency (EPA) to submit their noncodified documents issued since the March 1996 enactment of the CRA and to indicate which were submitted to Congress under the CRA. DOL and DOT asked that I narrow my request; as a consequence, I asked for only those documents issued by DOL's Occupational Safety and Health Administration (OSHA) and DOT's National Highway Traffic Safety Administration (NHTSA).

Both DOL and DOT admitted that none of their 1,641 and 1,225 guidance documents respectively, had any legal effect and none was submitted to Congress for review under the CRA. Now, nearly four months later, EPA has still not completely produced its guidance documents. The investigation also revealed that the absence of any legal effect was not clear to the public. In fact, only 11 percent of OSHA's guidance documents included any discussion of legal effect and only 7 percent had this discussion at the beginning of the document. On February 15, 2000, I will be holding a hearing to examine DOL's use of guidance documents as a possible backdoor approach to regulating the public.

Let me conclude by thanking Representative SUE KELLY of New York, Chairwoman of the Small Business Committee's Subcommittee on Regulatory Reform and Paperwork Reduction, for her leadership in this area in 1997 and 1998.

TRIBUTE TO ARCHBISHOP DANIEL E. PILARCZYK

### HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 27, 2000

Mr. PORTMAN. Mr. Speaker, I am pleased today to rise in tribute to Archbishop Daniel E. Pilarczyk, on the occasion of his 25th anniversary of his ordination as a bishop.

During his forty years in the priesthood, Archbishop Pilarczyk has compiled an impressive and distinguished history of service to the church and the community. After eight years of service as Auxiliary Bishop of Cincinnati, he became Archbishop in 1982. He is the spiritual leader of 550,000 Catholics in more than 200 parishes, and he manages close to 7,500 workers in Ohio. In addition, he has served as president of the National Conference of Catholic Bishops, as well as chairman of the International Commission on English in the Liturgy.

Archbishop Pilarczyk is a strong believer in education and has made it one of his top priorities during his time at the helm of the Archdiocese of Cincinnati, which is the ninth largest Catholic school system in the country. He has served our community in so many other ways including serving on the boards of St. Rita's School for the Deaf, the Pontifical College Josephinum, Catholic University of America and the coalition for a Drug-Free Greater Cincinnati.

He holds a masters degree from Xavier University and a doctorate from the University of Cincinnati, as well as seven honorary degrees. In addition, he has authored 18 books as well as numerous articles.

Daniel Pilarczyk is a Southwest Ohio native and he has given so much back to our community. I've had the chance to work with him in his role as founding board member of the Coalition for a Drug-Free Greater Cincinnati where he made an important contribution as a thoughtful and dedicated board member and a person with a sincere interest in our youth and their future.

All of us in Southwest Ohio wish Archbishop Pilarczyk the very best on the 25th anniversary of his ordination as bishop. We are proud to count him as one of our true religious, spiritual, and community leaders.

### INTRODUCTION OF PRIVATE RELIEF BILL

### HON. MATTHEW G. MARTINEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 27, 2000

Mr. MARTINEZ. Mr. Speaker, today I introduced a private relief bill for Gui Di Chen which will allow her to adjust status to permanent resident as an immediate relative of a U.S. citizen. Ms. Chen's husband, Robert Lem, died before the immigration and naturalization service could approve his wife's petition to become a permanent resident.

Under our immigration law, the INS cannot adjudicate Gui Di Chen's petition because she was married less than two years to Robert Lem before he passed away. The fact that Ms. Chen lived with Mr. Lem for three years does not matter under the eyes of the law. Without

the enactment of this private relief bill, Ms. Chen faces a dire and uncertain future in China, a country she hasn't been to in nearly ten years.

There is, moreover, ample precedent for such relief. For instance, the 105th Congress passed and the President signed into law at least two private relief bills, H.R. 1794 (Private Law 105-7) and H.R. 1834 (Private Law 105-8), that allowed the widowed alien spouses of Americans to adjust status to permanent resident. In both of these cases, the alien spouses were married less than two years to their U.S. citizen spouses.

Mr. Speaker, Gui Di Chen's case is compounded by a tale of woe and misfortune that rivals a Greek tragedy. In less than eight years, Ms. Chen has lost two husbands who died suddenly and before her immigrant petitions could be processed. In 1990, Ms. Chen and her son joined her husband, Zheng-Ming Wu, in the United States. Mr. Wu was completing a graduate degree at the time. Mr. Wu was fortunate enough to find an employer who filed an employer-based immigrant petition on his behalf. However, on September 6, 1991, just five days before Gui Di Chen, her son and husband were scheduled for an INS immigrant interview, Mr. Wu was killed in a car accident.

According to the police report that was filed, Mr. Wu was driving on the San Bernardino Freeway and developed car trouble. His car was stopped in an H.O.V. lane when he was rear-ended by an 18-year-old who was driving on a suspended license and without insurance. Ms. Chen received no compensation for her husband's death. In addition, the INS told Ms. Chen and her son that their application for permanent resident status was denied due to the death of Mr. Wu.

After the tragic loss of her first husband, Gui Di Chen was fortunate enough to fall in love again. Mr. Lem and Ms. Chen were married on March 31, 1997. Tragedy would strike once again when Mr. Lem died of a heart attack on June 16, 1998. Not only did Ms. Chen lose her husband, she also lost the opportunity to become a permanent resident.

Mr. Speaker, I look forward to working with my colleagues to ensure that Gui Di Chen is not victimized once again by the vagaries of fate and is allowed to finally adjust to permanent resident status. She deserves nothing less.

### RECOGNIZING THE 100TH ANNIVERSARY OF THE CHURCH OF THE HOLY CROSS, SPANGLER, PENNSYLVANIA

### HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 27, 2000

Mr. MURTHA. Mr. Speaker, on December 17, 1999, the Holy Cross Parish celebrated the 100th anniversary of the Church of the Holy Cross, Spangler, Pennsylvania.

Throughout our area and our Nation, we find such churches as the centers of our community, the fabric of our community spirit, and the strength of families. The Church of the Holy Cross has celebrated 2,735 baptisms, 622 weddings. It has held 1,332 funerals to send its faithful home. These events chronicle the history of the families in the region.

Plans for the present church structure were drawn by architect William East and built by John S. Drumm at a cost of \$4,800 according to the contract signed on July 8, 1899. On December 17th of that year, the Rt. Reverend Leander Scherr, O.S.B., Archabbott, St. Vincent Archabbey of Latrobe, dedicated the church. It was served by the Benedictine Fathers of St. Vincent Archabbey until 1984 and since then by the Diocese of Altoona-Johnstown.

The strength of our great nation comes not from decisions made in Washington, but from the enduring community strength, family commitments and individual ideals to which our house of worship provided the central underpinnings. The Church of the Holy Cross has been a part of that national strength for one hundred years; an integral factor in the growth of our nation and our region of Pennsylvania.

It is an honor for me to recognize the continuing role of the Church of the Holy Cross, of the church's twenty-fifth pastor, Father David J. Arseneault, and the individuals in the Parish that have made the Church of the Holy Cross endure for 100 years.

TRIBUTE TO LIEUTENANT GENERAL (RETIRED) LAVERN E. WEBER

**HON. ERNEST J. ISTOOK, JR.**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 27, 2000*

Mr. ISTOOK. Mr. Speaker, I rise today to pay my respects to a great American, former Adjutant General of Oklahoma, previous Director of the Army National Guard, prior Chief of the National Guard Bureau and past Executive Director of the National Guard Association of the United States.

Lieutenant General Weber, a native of Lone Wolf, Oklahoma, was the first Three-Star General to head the National Guard Bureau. He held that post from August 1974 until August

1982. He continued his service at United States Forces Command until his retirement on June 30, 1984, which concluded 42 years of military service with the United States Marine Corps, the Marine Corps Reserve and the Army National Guard.

Lieutenant General Weber served in the U.S. Marine Corps during World War II. After the war, he joined the Oklahoma National Guard's 45th infantry division. His unit was called to active duty September 1950 and then Captain Weber was soon serving as a Company Commander, and later the Operations and Training Officer. During a combat tour in Korea, he was promoted to the rank of Major a month before his release from active duty in June 1952 when he returned to National Guard Status in the Oklahoma National Guard.

He graduated from the U.S. Army Command and General Staff College in December 1955 and was assigned as assistant intelligence officer, 45th Infantry Division. He was promoted to Lieutenant Colonel on May 15, 1959, and in April 1961 was assigned as Chief of Personnel, 45th Infantry Division, and served in that position until November 1964. He became Chief of Staff, 45th Infantry Division with his promotion to Colonel on November 18, 1964.

On March 8, 1965, he was promoted to Major General, concurrent with his appointment as the Adjutant General of Oklahoma. He served in that position until his appointment as Director of the Army National Guard, in October 1971.

On June 29, 1979, the Chief of Staff U.S. Army promoted him to Lieutenant General, the grade at which he would retire in 1984. He was appointed as the full-time Executive Director of NGAUS effective July 1, 1984. In the past few years, he had been a consultant on national defense matters.

Mr. Speaker, as we adjourn today, let us do so in honor of and respect for this great American—Lieutenant General Lavern Weber.

SALUTING THE PUBLIC SERVICE OF CONGRESSIONAL STAFFER JOHN MCGUIRE

**HON. JAMES T. WALSH**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 27, 2000*

Mr. WALSH. Mr. Speaker, I want to ask my colleagues today to join me in recognizing the public service record of one of our own—a recently-retired employee of the House of Representatives, a member of my staff, John McGuire.

Although John has left public service and gone on to another stage in life in which he now focuses his energy entirely on family and friendly pursuits, he has left behind a record of admirable service.

Over the course of his professional career, and in addition to his time on my staff, he has brought great credit to the federal government. He has helped me understand the importance of our debt to veterans and he has excelled at constituent service in general.

A combat U.S. Marine veteran, John was indeed a very special liaison for me with the community of veterans who live in Central New York. But his camaraderie with those who have served our nation never limited his reach. For many Central New Yorkers, John has been the federal government's helping hand.

We who count ourselves among his friends are proud of his natural tendency to open his door to others in hours of need. His empathy has been matched only by his skills, his concern matched only by his optimism, and his value as an employee matched only by the good he does for others who are his friends.

The United States of America, the greatest country on earth, is strengthened by patriots and civil servants like John McGuire. Thank God for that. I join others of his admirers in recognizing his contributions and thanking him for his selfless dedication to principle and public service.