

UNFUNDED MANDATE REFORM
ACT OF 1995

SPEECH OF

HON JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 19, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5) to curb the practice of imposing unfunded Federal mandates on States and local governments, to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations, and to provide information on the cost of Federal mandates on the private sector, and for other purposes.

Mr. COSTELLO. Mr. Speaker, I rise today in support of H.R. 5, the Unfunded Mandate Reform Act of 1995.

I have long supported this legislation and was a cosponsor of mandate relief legislation during both the 102d and 103d Congress. This legislation is aimed at reducing the growing number of mandatory regulations we impose on State and local governments.

These mandates have become a tremendous burden on local officials. As a former St. Clair County board chairman, I understand how Federal mandates can create pressure on State and local governments to raise taxes in order to comply with onerous Federal regulations.

This bill will make it more difficult for Congress to pass bills continuing unfunded Federal mandates onto State and local governments. It would be against the rules of the House to pass any legislation containing any intergovernmental mandate, and would require an analysis of any mandate on the private sector.

In effect, it would prevent the House from passing a mandate except when a majority of Members vote to waive the rules, or if the funding is provided to pay for the mandate itself.

The bill also requires not just the Congress but Federal agencies to assess the effects of Federal regulations on State and local governments, as well as the private sector, and to publish a special analysis before issuing any new regulation which may result in aggregate costs of \$100 million or more. The measure requires each agency to establish a process to ensure local input into the development of regulations with significant Federal mandates, and establishes a commission to review unfunded mandates and provide recommendations on reducing them.

This measure does make exceptions to certain Federal laws which are designed to give basic rights to our citizens. The mandate legislation would not apply to provisions of Federal law or regulations that implement or enforce individuals' constitutional rights, Federal civil rights antidiscrimination laws, or accounting or auditing procedures for Federal grants.

Mr. Speaker, there are some mandates—such as safety standards in the workplace—which should be mandated. However, there is no reason why Congress cannot work with American companies and provide the funding to comply with these mandates.

This mandate relief legislation is long overdue, and I urge my colleagues to join me in supporting this bill.

TRIBUTE TO CAROLYN JOY QUILL

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 2, 1995

Mr. FOGLIETTA. Mr. Speaker, I rise on this occasion to pay tribute to Ms. Carolyn Joy Quill on the occasion of her retirement after more than 28 years of service at the Department of Health and Human Services and its predecessor agency, the Department of Health, Education, and Welfare.

In addition to working at the Department of Health, and Human Services [HHS] headquarters in Washington, DC, Ms. Quill has also served in the San Francisco and Philadelphia regional offices. Since 1989, she has been Regional Inspector General for Evaluation and Inspections in the Philadelphia regional office, where she was Director of an integral program of nationwide policy studies that provided Federal decisionmakers in both Congress and HHS with practical, reliable, and timely information and advice. Ms. Quill has also served in the Office of the Inspector General, the Public Health Service, the Office of Education, and the Social Security Administration.

As is evidenced by her many service-oriented positions, Ms. Quill is extremely active in community affairs. She founded and served as the first president of a local Philadelphia civic association, and in 1990 was honored with a citation from the Philadelphia city council in recognition of her dedication to civic affairs. In addition to these distinctions, Ms. Quill has received numerous Inspector General Achievement Awards, and is listed in the 1988 edition of "Who's Who of American Women." I join with Ms. Quill's friends, family, and co-workers in congratulating her on her retirement.

PROVIDING FOR THE PROTECTION
OF PRIVATE PROPERTY RIGHTS

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 2, 1995

Mr. FIELDS of Texas. Mr. Speaker, along with my colleagues, I am introducing the "Private Property Owners Bill of Rights," to require certain Federal agencies to protect the rights of private property owners in America.

Our Republic was founded upon the ancient and sound principles of ownership, use and control of private property. These principles of stewardship were embodied by our Founding Fathers in the fifth amendment to the Constitution, prohibiting the taking of private property without the payment of just compensation.

Today, a number of Federal environmental programs, specifically the Endangered Species Act of 1973 and section 404 of the Federal Water Pollution Control Act have been implemented by employees, agents, and representatives of the Federal Government in a manner that deprives private property owners of the use and control of their property. The result is that private property owners are being forced by Federal policy to resort to extensive, lengthy, and costly litigation to protect certain basic civil rights guaranteed by the Constitution.

As new Federal programs are proposed that would limit and restrict the use of private property to provide habitat for plant and animal species, the rights of private property owners must be recognized and respected. A clear Federal policy is needed to guide and direct Federal agencies with respect to their implementation of environmental laws that directly impact private property.

Therefore, it is the purpose of this act to provide a consistent Federal policy to encourage, support, and promote the private ownership of property and to ensure that the constitutional and legal rights of private property owners are protected by the Federal Government, its employees, agents, and representatives.

HONORING CAL KLEINMAN

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 2, 1995

Mr. ACKERMAN. Mr. Speaker, I rise today to join with the constituents of my district in honoring Mr. Cal Kleinman, president of Bennett X-Ray Technologies, for his exceptional show of kindness and generosity.

Showing a remarkable combination of spiritual and physical sensitivity, Cal Kleinman traded an \$85,000 cutting-edge mammography machine for a priceless, 300-year-old Torah—a prayer scroll containing the first five books of the Old Testament—that for 50 years had been lying in the basement of a drugstore in a small town less than a mile from the Auschwitz concentration camp. The town desperately needed the medical equipment, but had no way to pay for it. The only thing it had to offer were 18 Torah scrolls that had lain unnoticed since the defeat of Nazi Germany at the end of World War II. Mr. Kleinman jumped at the opportunity to help the developing country and to gain the Torah for his temple.

Through a complex network of deals and negotiations that brought the scroll to New York via Rome, Chicago, and Cincinnati, the first Torah scroll arrived in New York on January 30, 1995. Its permanent home will be Temple Beth Torah in Melville.

Mr. Speaker, I ask all my colleagues in the House of Representatives to join me in honoring Mr. Cal Kleinman for his incredible act of benevolence.

REMEMBERING ELIZABETH MARRA

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 2, 1995

Mr. Speaker, the inevitability of death does not diminish the shock when it arrives prematurely and unexpectedly.

Thus came my friend, Elizabeth Julia (Betty) Marra's death: unexpected, premature, unwelcome.