

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