CONFERENCE REPORT ON H.R. 4200, RONALD W. REAGAN NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005

SPEECH OF

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 8, 2004

Mr. OWENS. Mr. Speaker, the bill before us contains several extremely important provisions. They are designed to provide essential medical care and compensation for the brave Americans who worked from the 1950s through the 1970s to build this Nation's atomic weapons, often at serious risk to their own health and well-being. In far too many cases, these atomic energy workers were deliberately misled about the serious health risks their occupational exposure to radiation, heavy metals, and other toxic and dangerous substances would entail. Although Congress enacted the Energy Employee Occupation Illness Compensation Program Act, EEOICPA, in 2000 to provide such workers with essential medical care for specified types of cancer and compensation for their inability to work due to illness, a scarce few actually received it. Moreover, a number of workers died without the government ever making good on its promises to recognize their critical contributions to national defense work. In such cases, the surviving spouses and dependent children of these workers remain justly entitled to compensation.

Mr. Speaker, in the early 1950s there were two atomic weapons employers in my district, the 11th Congressional District of New York. One such plant, the American Machine and Foundry, AMF, designed and produced industrial equipment for the Atomic Energy Commission. By carrying out metal machining work for the Atomic Energy Commission—with uranium, thorium and zirconium—employees at this plant were exposed on a daily basis to large volumes of radioactive and hazardous metals. A second plant in my district, the Wolff-Alport Chemical Corporation, procured thorium sludge for stockpiling by the Atomic Energy Commission. Wolff-Alport Chemical workers were likewise exposed to thousands of pounds of dangerous radioactive substances.

Mr. Speaker, the provisions in this bill will settle long-standing health care and compensation claims by providing guaranteed Federal benefits for eligible employees whose work in Department of Energy nuclear facilities caused serious illness, impairment and/or disabling conditions. Likewise, this bill will guarantee Federal benefits for the uranium miners, millers and transporters made ill as a result of their work and covered under the Radiation Exposure Compensation Program, RECA.

From Brooklyn, NY, to Berkeley, CA, the atomic energy workers and surviving relatives have been hurt twice. First, many workers contracted grave diseases, often after a long latency period, as a result of exposure to dangerous nuclear and toxic materials. Second, the workers and their families were hurt for too many years by a policy of denial with respect to our national responsibility to them. It is imperative we reverse this policy of denial for once and for all. This bill accomplishes just that. It provides a guaranteed Federal benefit for the critical health care and compensation these workers and their families both require and deserve. In closing, I would like to thank my distinguished colleague from Missouri, the ranking minority member of the Armed Services Committee, as well as minority and majority staff, for their hard work and persistence in making certain these deserving workers and families will finally get justice.

PERSONAL EXPLANATION

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 9, 2004

Mr. MENENDEZ. Mr. Speaker, I was absent from votes in the House late in the afternoon on Thursday, September 30, due to an unavoidable commitment, and for the first two votes on Monday, October 4, due to mechanical problems on the plane from Newark International Airport. Had I been present, I would have voted the following way: On rollcall vote 484, H.J. Res. 106, an amendment to the Constitution of the United States relating to marriage, ''no''; on rollcall vote 485, H. Con. Res. 501, honoring the life and work of Duke Ellington, ''aye''; on rollcall vote 486, H. Res. 792, honoring the United Negro College Fund on the occasion of the Fund's 60th anniversary, ''aye''; on rollcall vote 487, S. Con. Res. 76, recognizing that November 2, 2004, shall be dedicated to ''A Tribute to Survivors'' at the United States Holocaust Memorial Museum, ''aye''; and on rollcall vote 488, S. 1814, the Mingo Job Corps Civilian Conservation Center legislation, ''aye.''

9/11 RECOMMENDATIONS IMPLEMENTATION ACT

SPEECH OF

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 8, 2004

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 10) to provide for reform of the Intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination, and for other purposes:

Mr. SHERMAN. Mr. Chairman, I voted against the Carter amendment and the Green amendment to H.R. 10, the 9/11 Recommendations Implementation Act. I certainly understand why my colleagues introduced these amendments. Their intention was to make us safer.

However, the amendments are not drafted well enough and their operation relies on particularly vague underlying statutory definitions and agency decisions. In addition, the purpose of each amendment can be achieved under present law in virtually every case.

In particular, these amendments rely upon the definition of terrorist act and terrorist organization. One would have to have overwhelming faith, perhaps even blind faith, in current and future administrations to believe that these amendments will be immune from misuse.

I have seen the State Department place or remove organizations on the terrorist list, influenced, at least in substantial part, by diplomatic, political, and even trade considerations.

The Carter amendment essentially attempts to create a felony murder rule for terrorist offenses. If a defendant is part of a conspiracy to commit a felony, and someone dies in commission of that felony, the harshest penalties are applied, even if the conspiracy did not envision anybody dying. I support felony murder rules, particularly those applied to violent terrorist conspiracies. Unfortunately, this amendment, in the hands of unwise or politically motivated prosecutors, could be used to seek the death penalty for those involved in a Sierra Club protest at federal facilities, if there was some tragic and perhaps unforeseeable action.

I am confident that the Judiciary Committee will work on these matters in the weeks and months ahead and design legislation to bring us the safety-enhancing objectives of the foregoing amendments, without raising the same concerns.