

the benefits of practicing preventive health care, the importance of undergoing periodic health examinations, and the need to establish and maintain a family medical history to businesses, providers of health care services, and other appropriate groups and individuals.

(e) STATE DEFINED.—In this section, the term "State" means each of the 50 States and the District of Columbia.

SEC. 10. PROGRAMS TO ESTABLISH ON-SITE WORKSHOPS ON HEALTH PROMOTION.

(a) GRANTS TO BUSINESSES.—

(1) IN GENERAL.—The Secretary of Health and Human Services shall establish a program under which the Secretary shall make grants over a 5-year period to 300 eligible employers to establish and conduct on-site workshops on health care promotion for employees.

(2) ELIGIBILITY.—An employer is eligible to receive a grant under paragraph (1) if the employer submits an application (at such time and in such form as the Secretary may require) containing such information and assurances as the Secretary may require, including assurances that the employer shall use funds received under the grant only to provide services that the employer does not otherwise provide (either directly or through a carrier) to its employees.

(3) INFORMATION AND SERVICES PROVIDED.—On-site workshops on health care promotion conducted with grants received under paragraph (1) shall include the presentation of such information and the provision of such services as the Secretary considers appropriate, including counseling on nutrition and weight management, clinical sessions on avoiding back injury, programs on smoking cessation, and information on stress management.

(b) ESTABLISHMENT OF PROGRAMS FOR FEDERAL EMPLOYEES.—The Secretary of Labor shall establish a program under which the Secretary shall conduct on-site workshops on health care promotion for employees of the Federal Government, and shall include in such workshops the presentation of such information and the provision of such services as the Secretary (in consultation with the Secretary of Health and Human Services) considers appropriate, including counseling on nutrition and weight management, clinical sessions on avoiding back injury, programs on smoking cessation, and information on stress management.

CLEANING UP THE CLEAN AIR ACT

HON. JAY KIM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. KIM. Mr. Speaker, I rise today to introduce a very important piece of legislation which will help rectify a severely unfair application of the Clean Air Act. This bill, which was blocked by the then-majority Democrats in the 103d Congress, will provide my home State of California with the flexibility every other State in our Union currently enjoys. Specifically, this bill will direct the Environmental Protection Agency [EPA] to withhold the enactment of its Federal implementation plan [FIP], as ordered by the courts, until such time as it has an opportunity to review California's State implementation plan [SIP].

We all want clean air—especially in California. Thus, my intentions are not to weaken clean air standards—and this legislation does

not do so. Rather, it helps attain those standards within the context of full support for the principles of States rights. I do not believe the EPA, a Federal bureaucracy, has any right to completely dismantle those principles, even if the courts appear to be the real culprits in this game of high stakes chess. No longer can the Federal Government blindly push States into complying with laws which are not suited for their particular situations or problems.

It is with that in mind that I call on my fellow colleagues to join in protecting the principles upon which this Nation was built. For those of my colleagues who do not represent the State of California, I remind them that this type of precedent could have equally devastating consequences in States such as Texas, Ohio, Virginia, and any others that do not meet the stringently set path that the big brother EPA dictates. Let us make it clear to all Americans that we, the Republican majority, will not stand idly by while the rights of our States are so easily swept aside.

Mr. Speaker, I am hopeful that committee and floor action can be taken expeditiously as this is a very time sensitive issue.

LINE-ITEM VETO LEGISLATION

HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. STUMP. Mr. Speaker, I am today introducing legislation to propose an amendment to the Constitution giving the President line-item veto authority. This legislation is identical to the line-item veto bill I introduced last Congress.

In years past, the leadership of this body worked hard to see that no real line-item veto bill passed the House. They argued that a true line-item veto would give too much power to the President. I disagreed then and I disagree now.

In theory, Congress may not need the President's help in deciding how best to spend the taxpayer's money. However, in practice, the temptation to slip special interest or parochial spending programs into otherwise necessary appropriation bills has been too strong to resist. Allowing the President to identify and veto such programs would protect not only the budget process, but the taxpayers' pockets.

Mr. Speaker, the line-item veto has proven itself in State after State where it has been tried. There is no reason not to allow it at the Federal level.

IRS BURDEN OF PROOF

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. TRAFICANT. Mr. Speaker, last year, I introduced H.R. 3261 to protect taxpayers from capricious behavior by the Internal Revenue Service. Today, I am again introducing this bill to ensure American taxpayers get a fair shake in tax court. Too often, the IRS is an agency out of control; too many Americans fear the IRS and that's wrong.

Mr. Speaker, my bill has three sections to protect Americans from IRS abuses. First,

damages paid to the taxpayer are increased from \$100,000, current law, to \$1,000,000. Second, the Internal Revenue Service must notify the taxpayer promptly in writing upon request as to the specific implementing regulations that they are found liable for. No more ambiguous computer generated letters using code numbers. No more unprepared confrontations with the IRS. These two seemingly innocuous sections of my bill are extremely vital and will go a long way in rebuilding the American people's faith in our Government.

The last part of my bill is the most important: it shifts the burden of proof from the taxpayer to the IRS in civil tax cases. Under current law, if the IRS accuses someone of tax fraud, which could be an honest mistake on the 1040 form, he or she must prove his or her innocence in civil court, the IRS does not have to prove your guilt. An accused mass murderer has more rights than a taxpayer fingered by the IRS. Jeffrey Dahmer was considered innocent until proven guilty. Mom and Pop small business owners, however, are not afforded this protection.

Mr. Speaker, during the last session, I highlighted the need for this legislation on the House floor by reading letters and cases I have received from people around the country. You may remember the case of David and Millie Evans from Longmont, CO. The IRS refused to accept their cancelled check as evidence of payment even though the check bore the IRS stamp of endorsement. Or how about Alex Council, who took his own life so his wife could collect his life insurance to pay off their IRS bill? Months later, a judge found him innocent of any wrongdoing. I have heard hundreds of stories of IRS abuses like these on radio and television talk shows. Thousands of Americans have written to me personally with their horror stories.

Opponents argue that my bill will weaken IRS's ability to prosecute legitimate tax cheats. This bill will not affect IRS's ability to enforce tax law, it only forces them to prove allegations of fraud. My bill will ensure that IRS agents act in accordance with the standards of conduct required of all Department of Treasury employees and the Constitution of the United States of America where you are innocent until proven guilty.

Mr. Speaker, I urge all Members to cosponsor my new bill. It will be my No. 1 legislative goal for the 104th Congress. All I seek is fairness for the American people.

THE 1995 AGENDA

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington report for Wednesday, November 30, 1994, into the CONGRESSIONAL RECORD.

THE 1995 AGENDA

There is a deep, free-flowing discontent in the country today. It is difficult to pin down, but it seems to be a fear of the future—a sense of insecurity about jobs, health care, pensions, and the future of the family. Americans are anxious about their future and their children's future in the rapidly changing economy. They are also disgusted with the performance of government. Hoosiers say