trip. It happened on Easter, and it was absolutely the most moving moment for me, for my wife, and our five grown children, and for our nine grandchildren.

At St. Patrick's Cathedral in New York, the best-known clergyman in all of North and probably South America, John Cardinal O'Connor, from the pulpit, during the homily at Easter High Mass, his Mass, gave a U.S. Congressman the following assignment.

He said:

I noted during communion time the presence of Congressman Bob Dornan. Bob, you can tell the Congress, and through your radio and television programs, the people of the United States, that St. Patrick's Cathedral is not a tomb of dead dreams but a vibrant temple of hope; that the hearts of our Catholic people are by no means empty with dead faith, but are filled with living faith, a faith that will not be ignored, a faith that, however ridiculed, however derided by cynics, will continue to blaze forth through this land to radiate goodness and to bring hope to millions.

Those are stirring words, Mr. Speaker. I will do what Cardinal O'Connor asked of me, I have just done it, because his Christian conviction is my family's conviction, all 20 of us. I truly believe the Cardinal expresses the sentiments of all loyal and practicing Christians.

Easter Sunday, this last April 16, was my Sally's birthday and our 40th wedding anniversary, so, after Mass, to the left of the main altar, the altar where my parents were married June 27, 1929, Sally and I stood in front of the very baptismal font where I was christened in May 1933, and Sally and I renewed our sacred vows of matrimony. I wanted to share the special memories of this day with the L.A. Times, but they saw fit to ignore that any of that happened. I am still surprised.

April 16, Mr. Speaker, 1995, is a day the Dornan clan will remember with great fondness forever and ever. Amen.

Mr. Speaker, a word about that fascinating day following the State of the Union message, when in 1 minute, I made four points. One of those points was stricken from the record, and I was removed from my speaking privileges for the rest of the day. I refused to apologize because I believe everything I said was historical, and I will revisit this well at some point in the future to discuss point 3 that I was suppressed for, but I will at this point discuss point 1.

I said that Mr. Clinton had overstepped the bounds of decency to refer to his presidency as the New Covenant. At the moment of consecration at every Catholic Mass, when the wine is consecrated, the words are ''the new and everlasting covenant.'' However, a week ago Sunday, the scriptural reading from the Gospel hit it right on the head. It is St. Paul's letter to the Corinthians, 11:23 to 26. Here is what I took exception to. ''In the same way after supper, he,'' meaning Jesus, ''Took the cup saying 'This is the cup of the New Covenant in my blood. Do this whenever you drink it in remembrance of me.' ''

Anybody who has seen an Indiana Jones movie knows that the Old Covenant, the Ark of the Covenant, was between Abraham and God. The New Covenant is Jesus Christ, our Savior, who redeemed us with His death on the cross, redeemed us with His precious blood. The New Covenant is not Bill or Hillary Clinton, and I am sure Mother Teresa the other day, when she spent the better part of the day with the First Lady, would have made that very clear to Miss Hillary if she had asked ''Mother Teresa, are we perchance the New Covenant?'' I think that settles point 1. More about point 2, 4, and that infamous point 3, later.

SAFETY IN THE WORKPLACE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Illinois [Mr. DURBIN] is recognized for 60 minutes as the designee of the minority leader.

Mr. DURBIN. Mr. Speaker, I rise to defend the right of every American to be safe and healthy at work. Americans who do the right thing and go to work every day should not have to pay for it with their health or their lives.

I have two photos with me this evening, and I hope the camera can catch them. The first shows a job which I am personally familiar with, working in a slaughterhouse, which I did when I was working my way through college. It is tough work, it is dangerous work. I have seen people literally mutilated and hurt on the job in this employment, and yet those of us who take for granted the meat in the grocery department do not realize how many men and women each day literally risk their own health and lives in their jobs.

Below this is another photo in which we cannot see the gentleman who is carrying it, but he appears to be a worker in some sort of a grocery outlet carrying a bag of bakery flour, which of course can be a challenge at times, depending on the size of it.

□ 2145

These are just two, I guess, regular employment opportunities in America that we do not think much of. But the reason that I rise this evening and invite my colleagues to join me is to talk about the men and women who go to work each day in America and how safe it is in their workplace.

Unfortunately, for too many Americans in all kinds of jobs, they pay each day with their health and their lives. The numbers are absolutely staggering in America. Six thousand Americans are killed at work every single year, almost twice as many as are killed by fires in the home. Fifty thousand Americans die of occupational diseases every year, almost as many died in the entire Vietnam War. Sixty thousand Americans are permanently disabled every year because of their jobs, more than all the newly reported AIDS cases reported in 1992. And more than 6 million workers suffer serious injuries and illnesses every year because of their work. That is more than twice the number of people who live in the city of Chicago. And it happens every single day.

On an average day, 16,000 Americans are injured at work. On an average day, 154 Americans are killed by job-related injuries and occupational diseases. We know how many people are killed and injured in auto crashes and we are horrified by it and we demand that the Government take action to make our highways safer. We know how many people are killed and injured in airplane accidents and we rightly demand safer airports and airplanes. The Director of the Occupational Safety and Health Administration has said that ''if a plane crashed every day in this country, the hue and cry for action would be deafening.'' But when a plane full of Americans die at work each day, silence is all we hear. These are not just numbers. They are real people. Their only fault is they get up and go to work every day to provide for themselves and their family, and that is certainly no fault. They are our coworkers, our friends, our relatives, our family, our neighbors.

Darrell Drummer of Loves Park, IL. He was killed in a gravel pit when a cable came loose and struck him in the head. He was 41 years old. Janice Banks of Pulaski, TN, killed when the lumber stacker she was working on fell up against her. Lloyd Mills, who lost his hearing because of this job, and he said, ''Had I had the right to wear hearing protection, I would have worn it because the longer I live, the longer I'm going to have to listen to that humming in my ears.'' Or the 25 workers who died in a poultry processing plant in Hamlet, NC, trapped in a raging fire because the emergency exits had been locked by their employers.

Unsafe workplaces are not limited to giant factories, meatpacking plants, and high elevation construction sites. Job hazards affect Americans who work in all kinds of jobs. They affect the employees of nursing homes who work in what has become one of the most dangerous jobs in America. They affect workers in grocery stores who work with band saws that can cut workers as quickly as they slice meat. They include locked exit doors that trap workers in fires, electrical hazards, toxic chemicals and noise that causes permanent hearing loss.

This special order tonight by my colleagues on the Democratic side of the aisle is a reminder to those who think it is time to turn back the clock on job safety and health in the workplace, a reminder that the job is not yet done and the victory is not yet won. With me are Members of Congress from across the country, and I might add from both sides of the aisle now, and I

welcome the gentlewoman from Maryland. They know the importance of safety and health in the workplace, because they have worked for safety and health laws for years. They know the importance of safety and health because they have constituents who have been killed and maimed at work. They will tell you about the hazards American workers face in food processing plants, coal mines, grocery stores, and construction sites and they will tell you what the new majority in Congress, some of them, are proposing to do in response, from cutting safety and health funding to gutting safety and health laws.

Mr. Speaker, it is not enough to say that you care about the safety and health of Americans at work. The American people will judge us by our actions. I hope this special order will remind people of the importance, the life-and-death importance, of a healthy and safe workplace. I hope it will encourage Congress to work for real improvements and real solutions.

I see among my colleagues this evening the gentleman from New York [Mr. OWENS], the gentleman from Rhode Island [Mr. KENNEDY], the gentleman from California [Mr. MILLER], the gentleman from West Virginia [Mr. WISE], and the gentlewoman from Maryland [Mrs. MORELLA]. I welcome them all.

Mr. Speaker, I yield to the gentleman from New York [Mr. OWENS].

Mr. OWENS. Mr. Speaker, I thank the gentleman and congratulate him on this special order. I would also like to thank the leadership for taking this opportunity to highlight a very important piece of legislation. I serve as the ranking Democrat on the Subcommittee on Workforce Protections of the Committee on Economic and Educational Opportunities.

Mr. Speaker, I have in front of me a package of printouts listing a portion of the 10,000 Americans who died in the workplace last year. About 56,000 die of accidents that take place in the workplace and of diseases contracted in the workplace. But 10,000 die in the workplace, at the workplace. I think that it is important that we note that there are names and addresses of human beings here. They are very real.

The notion that government agencies like OSHA exist only to make work for bureaucrats or to make life unpleasant for businesses is untrue in most cases, but certainly in the case of an agency like OSHA, we can clearly prove it to be untrue. One of the great things about the Vietnam War Memorial is the fact that it does give individual names. No more Tomb of the Unknown Soldier. You know exactly who it was who died and what day they died, and I think that to humanize what happens in this great so-called bureaucracy of the Federal Government, it is important of us to take a look at the actual list of names and addresses of the human beings who have died in the workplace.

Over the years, OSHA has decreased the number who die in the workplace, or who die as a result of diseases contracted in the workplace, but OSHA has not done the job 100 percent. OSHA must continue to exist.

Congress must be concerned about the health and safety of all American workers. The blind and furious ideological war being waged by the Republican Party against the Nation's labor unions has propelled the Republicans into a search and destroy mission against OSHA. This relentless attack places all American workers in harms way. There will be a large number of casualties. Already, more than 56,000 American workers die each year as a result of accidents on the job or from disease and injuries suffered at their places of work. Passage of legislation designed to disable OSHA will greatly escalate this unfortunate body count.

Speaker GINGRICH has recently proclaimed that politics is ''war without blood.'' The reality is that the Republican war on OSHA will provide pain and suffering; and in many instances their proposed ''scorched earth'' assault on OSHA will also produce blood. Among the 56,000 casualties last year, there were 10,000 who bled and died at the work site as a result of horrible accidents.

It is not exaggerating at all to say that the proposed Republican OSHA reforms, H.R. 1834, could be accurately described as the Death and Injury Act of 1995. Provisions designed to protect the health and safety of workers are being eradicated. The requirements of serious compliance by employers is being demolished. Reasonable protections are being blown away leaving workers dangerously exposed and defenseless. As a result of this Republican invasion of every worthwhile Government program there will be a criminal escalation of the body count.

Before the Republican aggression against programs they target as enemies, there is always a barrage of propaganda attempting to pulverize the facts and the truth. Always there are bombardments of disinformation about Government bureaucracies. Like most Government agencies initiated by Democrat Franklin Roosevelt's New Deal and Democrat Lyndon Johnson's Great Society, OSHA is not the blundering irrelevant entity described by the Republican propaganda machine. OSHA is very much in accordance with the mission of the U.S. Constitution ''to promote the general welfare.''

Promoting the general welfare of workers involves providing basic protections of their health and safety. The workplace should not be a place which diminishes the opportunity and damages the capacity of any American to engage fully in their right to the ''pursuit of happiness.'' Although organized labor led the fight to create OSHA and unions play a major role in enforcing the regulations, OSHA is not a gift of the Democratic Party to union members. OSHA represents a logical fulfillment of the promise of our Constitution. OSHA is for all Americans.

The Republican juggernaut has launched a counterattack against the basic mission of our Constitution. The following examination of the Republican proposals will expose the destructive nature of their ''Death and Injury Act'':

SUMMARY OF THE REPUBLICAN DEATH AND INJURY ACT

After the September 3, 1991, fire at the Imperial Food's Hamlet Plant—where 25 workers were killed and 56 injured—Mr. CASS BALLENGER, now chairman of the Subcommittee on Workplace Protections, told the Charlotte Observer, ''it's embarrassing that it takes a fire like this * * * before the news media makes a big enough deal that people will say 'OK, we'll pay more tax money' (for worker safety). It's the squeaking wheel that needs the grease and this wheel apparently hasn't been squeaking loud enough. * * * I think everybody agrees that it's underfunded and bogged down with bureaucracy.'' Given this insight, can you imagine how utterly incomprehensible it is that the Death and Injury Act is being proposed by Congressman BALLENGER.

Let's closely examine the Republican Death and Injury Act.

The Ballenger bill viciously targets all working Americans—without prejudice or discrimination. However, the suffering it will inflict on workers and their families is not equally distributed—only the workers lose.

THE BILL

This legislation is an assault on worker safety and health protections. The Ballenger bill undermines the safety net for workers by: virtually eliminating the general duty of employers to maintain a safe and healthy workplace; making it almost impossible for OSHA to inspect workplaces and issue citations; taking away the right of workers to raise safety and health concerns without fear of employer reprisals; making it harder, if not impossible for OSHA to set standards; and eliminating important job safety agencies.

ENFORCEMENT

Ballenger guts the enforcement provisions by shifting 50 percent of the resources for this activity to consultation. To focus this agency's energies on nonenforcement compliance activities further erodes OSHA's ability to prevent hazards likely to cause death and serious physical injuries. OSHA's enforcement program is woefully inadequate. At current levels of inspections, Federal OSHA can inspect workplaces only once every 87 years. Under Ballenger there will be no inspections—no enforcement.

Ballenger permits the employer to self-evaluate by conducting its own ''safety audits''. Workers will not have access to these audits. If this isn't the fox guarding the chicken coop, I don't know what is. Fifty-six thousand American workers die each year from accidents on the job or disease and injuries suffered at their places of work.

Ballenger guarantees an escalation in work-related deaths.

Ballenger prohibits OSHA from issuing citations to first time violators. Although, under current law, a citation is issued within 6 months of the inspection, and employers can request an informal conference to resolve the citation (even before a hearing takes place); it is not enough for Ballenger. This bill sends employers the message that they will not be punished until they are caught, not once but twice, by OSHA. Therefore, many employers will not comply.

Ballenger slashes fines and employers who violate laws for which there is no specific standard, such as ergonomics or indoor air quality, will never be fined. The General Accounting Office [GAO] has observed that civil penalties accessed under the OSHA Act are inadequate to deter violations of the act. In 1993, the average penalty collected for a serious OSHA Act violation was $550. As a matter of fact, a report in the Daytona Daily News highlighted a Georgia company that paid a $2 fine for an OSHA Act violation which resulted in the deaths of two employees. Ballenger insures violators will not have to pay.

PROTECTION OF EMPLOYEES FROM DISCRIMINATION

Ballenger requires workers to inform employers of complaints before contacting OSHA. The right to confidentiality is eliminated and as a result, retaliation against workers who file complaints will escalate. Employees will not report safety and health hazards, or illness and injuries, fearing that they will lose their jobs. Ballenger compromises the protection of workers from discrimination: Ensuring the victimization of the American worker into the 21st century.

Ballenger gives employers the right to blame workers for not following safety rules in order to overturn citations and fines. Ballenger generously provides employers with opportunities to avoid sanctions for hazardous workplace violations.

Ballenger makes it easier for employers to randomly drug test workers. Ballenger makes a mockery of a persons right to privacy.

OCCUPATIONAL HEALTH AND SAFETY STANDARDS

Ballenger prevents OSHA from setting standards unless they can prove that the costs will not exceed the benefits. Ballenger effectively restricts the cost for worker health and safety to zero.

Ballenger lets companies overturn safety and health standards in court and tie up the standard process in redtape. Ballenger forestalls the development of standards for ergonomics, indoor air quality and other emerging hazards, indefinitely.

MINE SAFETY AND HEALTH AGENCY [MSHA] AND NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH [NIOSH]

Ballenger collapses MSHA into OSHA, effectively eliminating the agency which has been very successful in reducing fatalities and injuries in the mine industry. Ballenger places the lives of workers in 14,500 mines in this Nation at risk.

Ballenger eliminates NIOSH—the only agency in this country that conducts research on worker safety and health. Ballenger eradicates any possible major research effort in health and safety; placing all American workers at risk.

The disruption caused by the Death and Injury Act by needlessly combining MSHA and OSHA and eliminating NIOSH, will cost the Federal Government time, money, and experienced staff. Most importantly, however, it will cost thousands of innocent lives—the lives of men, women and young people who go to work to help support their families, pay for their education or simply to earn a living.

This Death and Injury Act is a menace to all Americans. A fully functioning OSHA offers an umbrella to all Americans. The children, families, and relatives of workers benefit when workers are protected. Against the Republican attack on OSHA the majority of Americans must mobilize to defend themselves. Speaker GINGRICH has stated that his brand of politics is war without blood. It must be remembered that even before the Republican declaration of war against OSHA there were 56,000 casualties each year. There is already too much blood. A war against OSHA will be costly. A war against OSHA is madness that must be halted immediately.

The 56,000 casualties represent real people with names and faces. These are real people who left loved ones behind. These are real Americans who were lost despite the reasonable efforts of their Government to protect them in the work place. We cannot consciously accept policy changes which will guarantee that more Americans will die.

Our society places a high value on statistics. Each year for each holiday we broadcast the holiday highway death count. We deplore the statistics which tell us that homicides by gunshot are out of control. Last year there were 16,000 gunshot homicide victims. And, or course the periodic Vietnam War body count led thousands of Americans to protest in the streets. It should be noted that of the Vietnam War Memorial there are 57,000 names of those who died during the entire war. In contrast, there are 56,000 American work-place casualties each year.

We Americans place a high value on human life. Large numbers even insist on protecting unborn life in the wombs of mothers. To defeat the Republican Death and Injury Act we must raise the level of our voices and in every way possible inform the voters. This is not abstract politics. These are living, breathing, working citizens who are being protected. Perhaps the Republican warmongers will get the message if we follow the example of the Vietnam War Memorial. This great monument ends the practice of celebrating unknown soldiers. Carved on that great wall are the names of all the individuals who died.

Mr. Speaker, each day I propose to enter into the CONGRESSIONAL RECORD a portion of the 56,000 names of the casualties of last year's work place hazards. We propose to begin with North Carolina where, a few years ago, 25 workers in a chicken parts packaging plant perished. During a hearing before the Subcommittee on Workplace Protections there was also a mother from North Carolina who pleaded with the committee not to destroy OSHA. She had already lost one son and a second son was gravely ill as a result of accidents at the plant where they worked.

Speaker GINGRICH defines politics as war without blood; however, the kind of politics being pushed by the Republican Death and Injury Act is very much a life and death matter. Children will lose fathers and mothers; wives will lose husbands; parents will lose sons and daughters; Americans will die as a result of these reckless changes being proposed to dismantle OSHA. This brand of politics is too extreme. This kind of political war is too deadly.

□ 2200

Mr. DURBIN. I thank the gentleman for his contribution this evening. His position as ranking member of the subcommittee which has jurisdiction over this issue certainly gives him a good view of the issues, and I appreciate the analysis which he has given us.

At this point I would like to make it clear and I hope I made it clear in my opening statement that that statement about worker safety, this special order, is a bipartisan effort, and I am happy to recognize one of my friends and one of my colleagues, the gentlewoman from Maryland [Mrs. MORELLA], a Republican Member, who is going to address the question of worker safety as it relates to Federal workers.

Mrs. MORELLA. Mr. Speaker, I thank the gentleman very much for yielding. As a matter of fact, I thank him very much for arranging for this special order tonight.

Mr. Speaker, I appreciate this opportunity to express my concern about the health and safety conditions in the Federal workplace. The U.S. Government should be setting the example for all employers in providing a safe and healthy work environment.

We tend to forget that that scientist at the National Institutes of Health who is isolating the colon cancer gene and the breast cancer gene is a Federal employee, that the meat and health inspectors are Federal employees, that they are taking care of us and the least we can do is to provide the adequate workplace environment to protect their health and safety. Federal workers, however, are still faced with workplace health and safety hazards that are causing a high rate of injuries and illness. Frankly I do not really see this, as the gentleman from Illinois [Mr. DURBIN] mentioned, as a partisan issue. Federal employees are Republicans, Democrats, and, independents, Americans are Republicans and Democrats and independents, and Americans care about the safety of the Federal workers in the workplace.

For decades Federal safety councils were formed to address the high injury

rates among Federal employees. Finally, in 1970, Congress passed the Occupational Safety and Health Act [OSHA]. This legislation required every Federal agency to establish an effective safety and health program. OSHA's Office of Federal Agency Programs was responsible for implementing the program, which relied on voluntary compliance.

Without an enforcement mechanism, workplace programs to protect the health and safety of the Federal employee are dismal and uneven. They simply do not work. OSHA reports that for 1991, there were more than 170,000 work-related injuries and illnesses in the Federal Government, at a cost of more than $1.5 billion.

While workplace hazards continue to grow, the staffing levels at the Office of Federal Agency Programs [OFAP] have decreased. This is another matter of great concern to me. OFAP has only 8 full time professionals compared to 25 during the Ford administration. Budget constraints have limited OFAP's evaluations of Federal agency programs to two per year. The number of Federal agency safety and health inspections has also decreased by 40 percent since 1988.

OSHA is required to conduct annual safety and health program evaluations at 15 agencies which employ 2 million Federal workers. However, OSHA has conducted only 16 out of 150 evaluations of the targeted 15 agencies mandated by law since 1982. A report by the General Accounting Office [GAO] concluded that even when OSHA does inspect a Federal workplace, it does not use that information to assess the agency's safety and health program.

The lack of resources at OSHA, coupled with a lack of commitment by most agencies to evaluate their managers' performance in the area of health and safety, put Federal employees at risk on a daily basis.

In the private sector, OSHA conducts an independent, objective review of health and safety allegations. In the Federal sector, however, the agencies investigate themselves. In the private sector, there is an enforcement mechanism. Private firms can and have been shut down for health and safety violations through systematic fines and their publication.

The health and safety concerns in the public sector mirror the private sector. Asbestos fiber release in buildings, Legionnaire's disease, accidental death due to poor training and supervision, and failure to properly ventilate machine shops are among the commonplace concerns in both the public and private work environments.

Just as in the private sector, the greatest number of workplace injuries are occurring in repetitive motion occupations, primarily where computer and video display terminals (VDT's) are used. In the Federal sector, the workers most likely to sustain these injuries are women. We need to take reasonable steps to protect our Federal workers.

The American Federation of Government Employees (AFGE) conducted a study in 1992 relating to repetitive motion injuries at the Social Security Administration. Let me share the alarming results:

78.4 percent of the employees surveyed experienced pain in their shoulders, arms, elbows, and/or necks.

53.9 percent have had pain, aching, stiffness, burning, numbness, or tingling in their hands more than three times and lasting more than 1 week.

56.5 percent wake in the night or in the morning with pain, tingling, or numbness in their hands, fingers, arms, or shoulders—carpal tunnel syndrome.

These injuries are preventable. It is cheaper to take steps to prevent the pain and suffering, rather than paying for lost work time and expensive surgery.

Mr. Speaker, to protect our Federal employees, I recommend the following:

Enforcement mechanisms to compel agencies to meet safety and health standards;

Top management commitment to address safety and health problems;

Protection for workers who report unsafe conditions;

The right of workers to refuse work that is dangerous;

Safety and health labor/management committees.

Mr. Speaker, we must work together—in a bipartisan fashion—to protect the health and safety of Federal employees in their work environment. They work for us; we must not ignore their safety.

Again, I thank the gentleman from Illinois for arranging this special order, and I was honored to be part of it.

Mr. DURBIN. Of course we are honored to have the gentlewoman's participation in this bipartisan special order.

I would like to at this point yield to my colleague from the State of California, Mr. GEORGE MILLER. He has served on what was then called the Committee on Education and Labor, and he is very familiar with the issue of worker safety.

Mr. MILLER of California. I thank the gentleman very much for yielding and for calling this special order to address what is a very, very serious threat to American workers, and that is the demise of OSHA that is being presented to our Committee on Education and Labor in the guise of reform, but in fact it guts the basic tenets of OSHA and the basic enforcement mechanisms of OSHA.

As the gentleman rightly pointed out when he took the well this evening, millions of Americans go to work every day, and they play by the rules, they work hard, and what they do not need is to engage in an accident at work or have an unsafe workplace take its toll on them or members of their family.

When we send our spouses or our parents off to work or our brothers and sisters, we expect to see them come home in the evening in as good a shape as they left, but as has already been pointed out here this evening, for tens of thousands of workers a year that does not happen, and unfortunately for tens of thousands of workers it costs them their lives.

What we know since the advent of OSHA obviously is that these accidents are preventable, and the workplaces of America can be made safe, they can be made safer if not completely safe, and the accident rate can be impacted in a very, very positive manner. In fact since OSHA came into being the accident rate has dropped by over 50 percent. In some of the toughest industries we see that the protective standards that have been set forth by OSHA have had an impact. In the construction industry, where there are protective standards now for trenches that are being dug, where before hundreds of people lost their lives and thousands of people were injured in the cave-ins in trenches, we now see that those accidents and fatalities have declined by 35 percent. In industries where lead and high concentration of lead is used, thousands of smelting and battery plant workers suffer from anemia, nerve disorders, seizures, brain damage, and even death as a result of prolonged exposure to lead before OSHA issued its standard in 1978. Now we see that those same workers with high concentrations of lead in their blood has dropped by 66 percent.

Grain handling, where we had a rash of explosions, hundreds of workers and thousands injured in grain dust explosions prior to the standards in 1988. We now see that these fatalities have dropped since those standards by 58 percent, and the injury rate has dropped by 41 percent. We see cotton dust, where hundreds of thousands of America's textile workers contracted brown lung, the dust from the cotton processing, and we now see the dramatic drop in the cases affecting brown lung, and we also see there that it may have very well been responsible for making that industry competitive in worldwide competition as they were forced to modernize because of those standards.

So what we really see is in the 3 years following an OSHA inspection and fine, injuries at the inspected workplace decline by as much as 22 percent, and we have seen that the injury and illness rates have fallen where OSHA has concentrated its enforcement, mainly in construction, manufacturing, oil and gas extraction. These are all testimonies to the fact that these protective standards have worked to protect the American families. They have worked to protect the American worker. They have saved both the employer money, the employee money, the health care system money, the workers' compensation system money, and that is the result that we said we wanted in 1970, and that is the result we are getting.

Have some of these standards caused industries to strain to meet those standards? Yes, they have. But what we have also seen is that we have gotten back the benefits of those standards. We now see that where, as the gentlewoman from Maryland just talked about, cumulative repetitive motion distress, carpal tunnel syndromes, we now see a 770-percent increase in those injuries. We have got to figure out how to address that, to take sure that those people can continue to earn a living without being disabled and their employers can save the money from having a safer workplace.

OSHA is trying new programs. They are trying to make sure that OSHA works better for the employers, for the employees. No longer are there quotas. No longer are people rated by the number of inspections they do or the penalties that are assessed. We have seen the simplification of the standards. We have seen compliance assistance, helping small businesses to meet these standards. I think some 24,000 small businesses have been helped with this and hazardous free inspections, no citations, no fine, helping the small businesses make their place for the worker.

□ 2215

In a program in Maine they took the 200 most unsafe workplaces and they said, You can voluntarily inspect your own workplace or we will give you a wall-to-wall inspection. The workers for the most part, the employers decided they would inspect their own workplace for hazard. They found 100,000 hazards. 100,000 hazards; 14 times higher than OSHA's own rate of inspection in identifying hazards. And almost half of these have now been abated since that program was recently started.

So what we see is that OSHA can work very well with employers. In my district, heavy concentration of the oil and chemical industry, we have hundreds of millions of dollars of refinery work going on now. The major oil refineries, Exxon, Union, Texaco, Chevron, and Shell. And we have hundreds of thousands of worker hours, because of safety committees, because of OSHA compliance, because of learning how to set it out and get a work plan together and where the workers in some of the most dangerous industries in this country are working hundreds of thousands of hours without job loss.

Let me say before I came to Congress I worked in a lot of these industries. I have driven trucks. I have worked on tugboats. I was a firefighter. I worked in the oil refineries. I worked on the farms and ranches bailing hay. I have been a tree faller, in the construction industry, commercial fishing, in the merchant marines and oil tankers.

I have seen the workers who have fallen from great heights and the workers who suffered damage from toxic chemicals. And I have shaken more hands in my district with three fingers on those hands than can be imagined, and they lost them in industrial accidents.

I have seen workers hit by cables and snapped by ropes because safety procedures were not in place when I was working in those industries. I have seen workers go in the tank farms in the oil refinery, I have gone in, with no protective gear, no breathing gear or skin protection. And I have seen the workers suffer the consequences and pass out on the job from the fumes, unable to go back into those tanks and come into contact with those chemicals.

I have seen people lose their hands in hay bailers. Why? Because safety procedures were not in place. Those are the same industries that are in my district today. All of those industries now have a safety record that was unheard of, unheard of prior to OSHA.

And I would just hope that people would understand that this is not a fight between the AFL–CIO and the American Manufacturers Association. This is about the safety of America's families. People who go off to work every day to earn a living.

And many of these people, millions of Americans earn those livings in dangerous workplaces. Simply because of the occupation, they are dangerous. But they can be and they have been made safer by the OSHA regulations.

And we cannot succumb as a Congress, we cannot talk about the importance of our families, we cannot talk about the importance of a worker being able to sustain the economics of their family and household income and then resort to the kind of legislation that is being proposed to us in the Education and Labor Committee and being sent to the floor of this House basically on a party line vote by the Republicans that would take away the rights of employees to go to OSHA to demand a safe workplace, would take away the reporting of how many times did the employees tell the employer their workplace was not safe.

The employer, under the new law, would not be required to keep records. They could disregard that. And when an accident takes place, an injury takes place, no penalty to be paid. You get a citation and are told to clean it up. And if you do not clean it up, you are still not held liable under the law.

This is not the way to protect America's families. This is not the way to protect family's children from having to lose a mother or father in a workplace accident. And this is not the way to protect workers from those employers who will violate the law, as we saw in the tragic chicken factory fire in North Carolina where the employer thought they could get more productivity out of their workers if they chained the doors closed so that the workers couldn't get out in the fresh air. And then, when the fire started, the workers were burned up and people lost their spouses and mothers and fathers and lost their sons and daughters in that accident; an accident that did not have to happen in the first place.

But the tragic loss of life and the injuries were completely avoidable had the law been followed and had we had people who respected the dignity and the rights of those workers.

So I want to thank the gentleman for taking this time in this special order. I think we need to talk more about this. I think we have got to educate that it is OSHA that has provided the safe workplaces in this country for America's families and we should not have to go back, we should not have to go back where the workplace is based upon the whims of the employer as opposed to the right of a worker and their families to have a safe workplace.

That is what OSHA provides today. But that is not, that is not what the OSHA legislation that the Republicans want to pass would provide for workers in the future. And I thank the gentleman.

OSHA WORKS

I. OSHA'S MISSION

Congress created OSHA in 1970 ''to assure so far as possible every working man and woman in the Nation safe and healthful conditions.'' OSHA's fundamental mission is as important to America's working families today as it was a quarter-century ago.

The 1970 OSH Act authorized the agency to issue and enforce protective standards, and to provide compliance assistance through consultation, education, and training. The 1970 OSH Act gave states the option of establishing their own state OSH agency; to date, 23 states have done so.

II. WHY OSHA WORKS

By developing protective standards, and making employers more safety conscious, OSHA has made a real difference—often the difference between life and death—to millions of working Americans. Overall, the workplace fatality rate has dropped by over 50% since OSHA was created in 1970, according to the National Safety Council.

a. OSHA's Protective Standards Save Lives. Here are just a few examples of how OSHA has saved lives and improved worker health and safety through the promulgation of hazard-specific protections:

Trenches. Thousands of construction workers were buried alive in trench cave-ins before OSHA strengthened trenching protections in 1990. Since then, trenching fatalities have declined by 35%, and hundreds of trenching accidents have been prevented.

Lead. Thousands of smelting and battery plant workers suffered anemia, nerve disorders, seizures, brain damage and even death as a result of prolonged exposure to lead before OSHA issued protections in 1978. The number of workers with high-lead concentrations in their blood dropped by 66% in the ensuing five years, markedly improving the health of workers in these industries.

Grain Handling. Hundreds of workers were killed and thousands injured in grain dust explosions before OSHA issued protections in 1988. Since then, according to the grain industry's own data, the fatality rate has dropped by 58%, and the injury rate has dropped by 41%.

Cotton Dust. Several hundred thousand textile industry workers developed ''brown

lung''—a crippling and sometimes fatal respiratory disease-from exposure to cotton dust before OSHA issued protections in 1978. That year, there were an estimated 40,000 cases, amounting to 20 percent of the industry's workforce. By 1985, the rate had dropped to 1 percent.

b. OSHA's Enforcement Program Saves Lives. Millions of working Americans have also benefitted directly from OSHA's enforcement program. Most employers have reported that their workplaces became safer after OSHA inspected them; a recent study confirmed that in the 3 years following an OSHA inspection and fine, injuries at the inspected worksite decline by as much as 22 percent. In fact, since 1975 injury and illness rates have fallen in industries in which OSHA has concentrated its enforcement activities—construction, manufacturing, and oil and gas extraction—while they have risen in other industries.

In fiscal year 1994 alone, OSHA inspections helped make over 40,000 workplaces safer for nearly 2 million working Americans. There is no shortage of examples of successful enforcement efforts:

Following a 1991 inspection, a West Virginia vending machine manufacturer instituted a safety program and lowered its lost workday injury rate by 73 percent.

OSHA inspected a Cleveland construction site in 1994, insisting that workers wear safety belts while working on a scaffold 70 feet above the ground. Four days later the scaffold collapsed, but the workers were saved by their new safety belts.

OSHA's 1989 inspection and $700,000 fine was the catalyst for Boise Cascade to improve worker protections. The company implemented a comprehensive safety and health program, cutting injury rates by 78 percent and worker's compensation costs by 75 percent. ''OSHA played a key role in these accomplishments,'' according to the company's counsel.

Following a 1989 OSHA inspection and fine, an automobile carpeting manufacturer established an ergonomics program at two Pennsylvania plants. Cumulative trauma injuries declined by 94 percent and 77 percent respectively at the two plants over the ensuing 3 years.

c. Safe Workplaces Save Dollars. Every workplace accident cuts into the employer's profit margin. In 1992, for example, workers' compensation claims amounted to $44 billion. Compliance with OSHA's protective standards helps save lives, reduce injuries and cut these unnecessary losses. For example, 2 years after OSHA issued a cotton dust standard to protect workers from respiratory disease, The Economist magazine reported that the required protections were helping to make the industry more efficient.

III. DO WE STILL NEED OSHA?

OSHA has had notable successes, but its job is far from done:

Every year, work-related accidents and illnesses cost an estimated 56,000 American lives—more than the total American lives lost in battle during the entire 9-year Vietnam War.

On an average day, 17 working Americans are killed in safety accidents, an estimated 137 more die from occupational disease, and another 16,000 are injured. Meatpacking workers, for example, suffer an incredible annual injury and illness rate of 39 per 100 workers. These incidents have a devastating impact on thousands of America's working families each year.

There are staggering economic costs as well: safety accidents alone cost our economy over $100 billion a year, and occupational illnesses cost many times more. We all bear these costs—as employers, as workers, and as taxpayers.

New workplace hazards are emerging as our economy changes to meet the demands of the new global marketplace. For example, cumulative trauma disorders have increased roughly 770% in the past decade.

Other federal programs may provide job training, civil rights protections, a minimum wage, or collective bargaining rights. But what good are they to a worker who is killed or disabled on the job?

IV. MAKING OSHA WORK BETTER

In the past, OSHA has been criticized for focusing too much on nitpicky technical violations, and too little on eliminating serious safety and health hazards. OSHA must improve its targeting of the most dangerous hazards and workplaces, particularly given the ever-widening gap between OSHA's resources (1,000 inspectors) and responsibilities (3.7 million workplaces). Under the leadership of Assistant Secretary of Labor Joseph A. Dear, OSHA has begun to refocus its mission to maximize its impact on worker safety:

No Inspection Quotas. The number of inspections is no longer an agency performance measure. Neither is the amount of penalties assessed. Instead, performance measures will be based on real improvements in worker safety and health.

Standards Simplification. In October 1994, OSHA asked the public and its field staff to identify outdated, vague, conflicting or duplicative regulations for simplification or elimination. That effort is in progress.

Compliance Assistance. In FY 94, OSHA's consultants helped nearly 24,000 small businesses identify and abate hazards free of citations and fines, under OSHA's consultation programs.

Targeting the Most Dangerous Workplaces. Under the Maine 200 program, the 200 most unsafe employers were offered a choice: implement a comprehensive safety and health program, or be put on a priority list for a wall-to-wall inspection. The vast majority of employers chose the first option, with stunning results. During the first 18 months of the program, participants identified nearly 100,000 hazards, at a rate over 14 times higher than OSHA's own rate of identifying hazards through inspections. More than half of these newly-identified hazards have already been abated.

Targeting Real Hazards. OSHA is refocusing its enforcement program on the most dangerous hazards: Under a new focused inspection program, construction employers with safety and health programs will only be inspected for the four leading causes of on-the-job deaths (e.g., falls, electrocutions). Citations for the most common paperwork violations have declined by 35% over the past 4 years.

Recognizing Excellence. OSHA's Voluntary Protection Program recognizes employers who have excellent safety and health records, exempting them from general inspections. OSHA expanded the VPP Program by 70% in FY94.

Additional Initiatives. OSHA has taken many additional steps to refocus the agency on results including: increasing the involvement of stakeholders in setting the agency's regulatory agenda; redesigning the agency's field offices to streamline the complaint process, reduce paperwork, and focus more on results; establishing customer service standards (in a recent survey, over 75% of employers found OSHA inspectors to be professional and knowledgeable); establishing the Maine Team Concept Pilot Program to empower front-line inspectors to use their own judgment in deciding how to make the best use of their resources (In FY94, at the participating field offices, the number of inspection hours increased by 86%, delays between inspection and citation dropped by 30%, and the employer contest rate declined by more than 50% as inspectors adopted a less adversarial enforcement approach); establishing pilot programs to improve response time from complaint to abatement (reduced for nonformal complaints from 61 days to 9 in Cleveland and from 35 days to 5 in Peoria); simplifying recordkeeping requirements; and expediting FOIA request processing.

Mr. DURBIN. Mr. Speaker, I thank my colleague from California for that excellent statement. And I would like to at this point yield to my colleague, the gentleman from West Virginia, Mr. BOB WISE, who is familiar with another aspect of employment in America that at one time was the most dangerous. And were it not for efforts that have been made at Federal and State levels, might still be the most dangerous and still is very hazardous. And I would like to yield at this point to Mr. WISE.

Mr. WISE. Mr. Speaker, I thank the gentleman and he is correct. As he has spoken before on this floor for the need, not only for OSHA but for MSHA, the Mine Safety Health Administration. The MSHA was created in 1969 as the direct result of the Farmington mine disaster. Finally, this country had had enough. It had taken all the bloodshed in the mines that it could tolerate and MSHA grew out of that.

MSHA celebrated its 25th anniversary this year. But there may not be a 26th anniversary should this legislation pass. What this legislation would do, in addition to what has already been talked about concerning OSHA, this legislation would merge MSHA and OSHA together, of course cutting the funding together and merging them together.

Let me talk for a second about what the proposed legislation would do to MSHA. It would end mandatory inspections of surface mines. It would reduce mandatory Federal inspections of underground mines from 4 per year to 1 per year.

It would eliminate the current surprise factor in mine inspections by canceling mine inspectors' rights to inspect mine workplaces without a warrant. That is right. You have to call and get the permission to come on. If you do not get the permission to come on, you cannot come on without a warrant. And by that time, the surprise factor is gone.

It would provide several ways for operators to avoid inspection altogether

such as employing a consultant to certify that the mine has an effective safety and health program, thereby exempting the mine for virtually all inspections for the year. I bet we can find a real industry developing in certification consultants.

It would prevent Federal mine inspectors from closing unsafe mines for uncorrected hazards, extreme operator negligence, or a pattern of violation.

One area of concern for me, it would ban workers from contacting the agency unless they first raise the problem with their employer, even when the worker faces imminent danger on the job and the likelihood of retribution.

It would eliminate penalties for mine operators violating the law, prohibit Federal mine inspectors from removing untrained miners from the workplace. The gentleman knows it took us a long time at the State and Federal levels to get training requirements for miners in the workplace.

It would limit the rights of miners, including the right to take their own cases to court if they have suffered reprisals for maintaining their safety rights.

This is not simply a deficit reduction issue or a budget reduction issue. It cannot be put on the paper in black and white. And, yes, there are some that say Why do we need MSHA as a separate agency? Cut the funding and put it in OSHA, because the fatality rate is down.

And happily, Mr. Speaker, it is down. It is down from 400 every year being killed in the mines. As the gentleman from Illinois [Mr. DURBIN] noted, the most hazardous industry in the country, it went from 420 6 years ago to 84 this year. That is testimony that OSHA is working; that MSHA is working.

It is still one of the most hazardous occupations. In West Virginia last year we lost 11 miners. That is a far cry from the 20-some we were losing just a few years ago. A far cry from the 50 and 60 that we were losing a few years before that.

I would like to point out to those who want to make it a black and white issue, think for a second about what work in a mine is all about. Particularly a deep mine. The gentleman from Illinois [Mr. DURBIN] I know, knows the mines in Illinois. He has been associated with them for a long, long time.

First of all, turn out all the lights in this Chamber and put on a blindfold, because there is no light at the bottom of a mine. The second thing to do, if you want a real impression, now crawl under this desk that I am standing in front of. It stands about 3 feet high and that is what a low coal seam is.

You have no lights now and you are lying underneath this desk expected to work under there. Now, imagine thousands of tons of rock about you. Not just a wooden platform, thousands of tons of rock above you. It is creaking, it is belching and it is moving.

It is wet down there and on top of the creaking, you have the potential, if you hit it just right, you can dig right into a gas deposit and you can be snuffed before anyone knows what happened to you. Methane is a very common problem in mines. And, of course, explosion is often a tragedy as well in mines.

That is what working in a coal mine is all about. It is not something that is easily reduced to black and white. It is not something that is reduced to number on a page. It is a very, very dangerous occupation. And anybody that threatens that, even well-meaning, threatens that, I think has to be called to account.

I hope that this legislation does not pass. I thank the gentleman for taking this position. This is another wrinkle to the OSHA debate. And in the hearings that the committee will continue to hold, I hope this message comes through loud and clear. This is not a place to be reducing the deficit.

Mr. DURBIN. I thank my colleague for joining us this evening. And like him, I have had the opportunity to be in a deep-shaft coal mine. It is a humbling experience to be in that closed atmosphere and you have described it so well, to fear for your own safety every step of the way.

That we should in any way diminish this kind of inspection from the Federal and State sources is, to me, just to invite disaster and tragedy. And I certainly hope that the legislative proposals that we have heard will be more sensitive to what men, and now women, are subjected to each day in these coal mines.

Mr. WISE. As the gentleman well knows, whether it is the Centralia mine disaster in Illinois or the Farmington mine disaster in West Virginia, that is what has brought this to the attention of the country. And, unfortunately, State legislation, State mining enforcement was not adequate. It is better now and MSH has been driving for that and continues to do so.

Mr. DURBAN. I thank my colleague.

My colleague, the gentleman from Rhode Island [Mr. KENNEDY], is here. And I thank him for joining us and being patient to speak this evening. I yield to Congressman KENNEDY.

Mr. KENNEDY of Rhode Island. Thank you. I would like to thank my colleague from Illinois [Mr. DURBIN] for allowing me to be here for this special order. And as I rise to discuss with him OSHA in terms of the problems that have been solved, the lives that have been saved, and the injuries that have been prevented by making the workplace a safe place. And that has been because of OSHA.

The record of success is now at risk because some want to crush OSHA's ability as an agency to function, leaving today's workers vulnerable and exposed, 40 stories above the ground on today's job site.

I want us to ask ourselves a few questions. Do we not as a Nation need to protect workers from the safety and health hazards that they are exposed to on the workplace?

Do we not want the Federal Government to take action against employees who would jeopardize the well-being of their workers?

Do we not believe that this is important to determine what is killing and injuring people in America's work force?

The answer is, of course, yes. The answer should be yes. But what I am hearing from my colleagues from the committee, the Republicans have said, no.

Every day workers are asked to gamble their lives and take unnecessary risks because someone wants to cut corners. Today, while it is usually the contractor, today it seems like it is the Congress that wants to cut corners. They want to cut corners when it comes to worker's safety. Many want to argue that today's rules in OSHA are too restrictive and excessively infringe on a company's right to do business.

What is so excessive about ensuring a safe workplace? What is so excessive about ensuring that thousands of workers are no longer buried alive in trench cave-ins, as was the case before OSHA strengthened its protections of these workers in 1990?

Since then, trenching fatalities have declined by 35 percent, and hundreds of trenching accidents have been prevented.

In one instance, OSHA inspected a Cleveland construction site in 1994 and insisted that the workers wear protection gear while working on a scaffold 70 feet above the ground. Four days later the scaffold collapsed, but not one worker was killed because each one was wearing the new protective equipment. How does this protective gear infringe on a company's right to do business? Because it costs money. That is why. It costs money. OSHA made the difference. We are here today to tell our colleagues that we are drawing the line. We will not stand for budget cuts that destroy an agency that is charged with protecting American workers.

□ 1030

Remember, we are protecting American workers. This is America, not a third-rate nation, and we will be acting like a third-rate nation if we treat our workers as if they were workers in a third-rate nation. That is why I commend the gentleman from Illinois [Mr. DURBIN] for working on this issue, and my colleagues that are standing up for workers in this House, to make sure that we have a safe workplace, that has the dignity that we would want and the safety that we would demand for our workers in this country. I do not think we should accept anything less than a safe workplace. I commend the gentleman from Illinois for his work, and thank him for allowing me to be here this evening.

Mr. DURBIN. I thank my colleague from Rhode Island [Mr. KENNEDY] for joining us with a very forceful and articulate statement on this issue, particularly as it relates to construction

workers. We will continue this debate, not only on the floor, but also in the committees and subcommittees. I thank you for joining in this special order.

The last speaker joining us this evening comes from the State of Minnesota. Congressman JIM OBERSTAR is one of the most articulate spokesmen on behalf of working men and women. The time I have served in Congress, he has risen many times to their defense and is recognized as somebody in this body who has a very intimate and personal knowledge of not only the men and women he represents who work for a living, but those across the country.

I yield to my colleague from Minnesota [Mr. OBERSTAR].

Mr. OBERSTAR. I thank my colleague for yielding and I join my colleagues in complimenting the gentleman for calling this special order to focus on the industrial workplace and safety.

I have seen the face of tragedy in mining. I have lived with it. I am here because, for me, it is real, it is personal, it is family.

My father worked 40 years in the iron ore mines of northern Minnesota, 26 of those years in the underground Godrey Mine between my hometown Chisholm and nearby town of Hibbing. I never worked in the underground. He never let me go down there. I worked in the open pits.

But I will never forget the day my father came home from a cave-in, where he heard the timbers cracking, and in a drift, he pushed his two coworkers out the mouth of the drift, and the ore caved in right around him and stopped right at his throat. The timbers cracked because the mining company was not willing to put in new timbers. They were not willing to put in bigger and stronger oak in the mines, and he almost lost his life.

I will never forget him as chairman of the mining safety committee in the underground saying the most horrible memory was the awful screams of the men when the cables broke on the cage, and they went plunging to their death 100, 200, 300 feet, with nothing to save them. No safety catches. Nothing to break the fall of the cage.

We heard our colleague BOB WISE talk about how dark it is in a mine. My father told me about the time when the storm above ground cut the power, and there they were, 600 feet underground, he and a partner who had a heart condition, and all the light went out and the water was trickling in. They switched on their head lamp, but there was no power, because the mining company would not replace the batteries, though the men appealed and asked for them to be replaced. They knew they were weak, knew they were down, but the company said no, it costs too much. And you could not move. You could not see your hand in front of your face. And they waited for three hours while the water crept up, waist high and armpit high. And, finally, someone got the power going. I will not tell the rest of the story about getting the pumps going to start draining the mine.

The year that I was born was the year of the Milford Mine disaster in the Cuyuna Mountain Range south and west of where I lived. The miners were told to keep digging for that rich load of ore, until they were well under a lake. And they could see the water seeping in, and they knew it was dangerous. But the mining company said, ''Go on, go on, dig further and deeper, and keep going.'' then, one day, the lake caved in, and an entire shift was wiped out. Thirty-four men, only three survived, as the lake swept into the underground and drowned them all.

There was no mine inspector. There was no Federal law. There was a weak little State act that had been drafted by the mining companies and run through the legislature. It did nothing to protect lives.

Then later I had my own experience in the Alworth Pit, watching helplessly from afar while a 15-ton ore truck backed over and crushed an elderly man. Natali never had a chance. No one had ever taught him how to back a truck up. He had no training. And yet later when we got Mine Safety and Health Act passed, companies protested about the requirement for training and safety, how to back a truck up, how to operate equipment safely. ''Oh, that is second nature. People know how to do that.'' He did not know how to back up a 15-ton ore truck, and it ran right over him. It snuffed his life out.

That isn't just ancient history. Last year, 1994, February, Duluth News Tribune. ''Tragedy reminder of mining's risks.''

It reads:

> Twisted backs. Crushed feet. Ruptured tendons.
>
> Disabling injuries are common among workers at Iron Range taconite mines.
>
> That's because operating and repairing the heavy-duty machinery used daily in iron ore mining has inherent risks. Over the past century, Iron Range miners have learned to live with those risks.
>
> But sometimes the odds finally catch up.
>
> When Louis DeNucci died as a result of tons of compacted ore dust falling on him Thursday at Eveleth Mines' Fairlane taconite pellet plant, the impact was felt by thousands of miners across the Range.

It is never very far away. In the 1930's we had an average of 230 deaths a year from metal and nonmetallic mining. In the past 10 years, that has dropped to 53 fatalities a year. But the danger is still there, and the significance of the Mine and Safety Administration was brought up by testimony given by Peter Minsoni, district director of Steel Workers 33.

I introduced him at a hearing of the Committee on Education and Labor on mine safety and health as the committee was preparing the legislation we know today as MSHA. I was a cosponsor of that original bill and helped draft it. Because when I came to the Congress, there was one thing I wanted to do, and that was to erect a memorial to the men and women who died in mining, who had given their arms and legs and limbs and eyes to make it a safer place to work.

Pete Minsoni said, talking about the action of the then Ford administration to abolish the Federal Advisory Committee on Mine Safety Standards, it had been enacted in 1966, 5 years later they were proposing to abolish it. It finally happened in 1975. He said, ''Abolishing the Mine Safety Review Board caused me concern, to think that because the review board had no work, some Members of Congress and the public will be misled into thinking that the Government deserves a pat on the back for finally abolishing a Federal agency.'' He went on to say, ''The reason the Mine Safety Board did not have any work is there was no law to enforce.'' There was nothing to review. There were no teeth in mine safety legislation.

He went on to talk about a good example. The White Pine Copper Mine in upper Michigan where the steel workers unions represents some 2,600 workers employed in one of the largest mines in our country. A fatality occurred when a foreman picked up a hot cable. The Mine Enforcement Safety Administration inspectors found improper grounding and a lack of control boxes for electrical cable throughout the mine, a mandatory standard set by the Mine Safety Act not enforced, paid no attention to.

Mr. DURBIN. I think we only have just 2 or 3 minutes left.

Mr. OBERSTAR. What he went on to say was the miners learned they do not have a legal right to join mine safety inspectors. Standards are only advisory and not mandatory. And only when they had tough inspection standards, mandatory fines, mandatory inspections, did we get safety in the mines.

I just want to say that in all of America's history, more men and women have died in the industrial workplace in our country than died in all the wars combined. Let it not be the epitaph of our generation that we let another decade come to pass when mine safety took a back seat to economics.

Mr. DURBIN. I thank my colleague. I am sorry I had to cut him short, as we have run out of time this evening in this important special order. Perhaps we can resume it later on at a different time.

If you listened to the debate in Washington over the last 6 months, you would be convinced that all we are talking about tonight are faceless Federal bureaucrats meddling into the affairs of business people, making their life miserable with fines and inspections and all sorts of minutiae that in fact weighs heavily on their profit statements.

What I hope we have conveyed tonight in this special order is we are talking about something much larger.

We are talking about dignity of workers. We are talking about safety in the workplace. We are talking about a history in America of danger in the workplace that we do not want to see repeated again.

The fact is since OSHA was created in 1970, we have seen deaths on the job in America cut in half. In factories deaths on the job have been cut by more than half. In construction, deaths have been cut by 60 percent. Can OSHA be improved? Yes, it can. But for those who address this issue in terms of terminating the Federal responsibility and the Federal authority to help protect workers and their families in the workplace, I would say they are really going in the wrong direction.

I hope that the special order this evening, the stories that you have heard and I guess the information that we have shared with you, will help people to understand that the debate which goes on on the floor of this House of Representatives each day is a relevant and important debate to every working family in America. We hope that those on the Republican side of the aisle who take an extreme position of doing away with this Federal responsibility will stop and think twice about the legacy of pain and the legacy of death which we have seen in America's workplace, certainly something we never want to see repeated again.

BALANCING THE BUDGET

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Connecticut [Mr. SHAYS] is recognized for 60 minutes as the designee of the majority leader.

Mr. SHAYS. I thank the Speaker for giving me the opportunity to speak at this special order and to thank him for his willingness to stay. I know the hour is certainly a little late in the east part of the country.

My purpose for speaking tonight is to talk about really a monumental event that is taking place this week when the House of Representatives and hopefully the Senate will also be voting for the first time in 24 years to get our financial house in order and balance our Federal budget deficits.

There is a revolution taking place in this country, and I do not think people fully grasp it. With the Contract With America, I remember during the course of the campaign I would have editorial boards ask me how could I have signed this Contract With America. And I responded by asking a question. I said what do you think of the majority party's Contract With America, the 8 things they are going to do on the opening day of the session, the 10 things they are going to do in the first 100 days? And there was silence, because the majority party did not have a plan in the opening day or it did not know what it wanted to do in the first 100 days.

□ 2245

And I said to the editorial boards, is it not remarkable that you have a minority party, the Republican Party, that has come forward with a plan that does not criticize President Clinton, that does not criticize Democrats. It simply outlines what we intend to do if we are fortunate enough to get elected.

This past week, the House and the Senate have agreed to a plan that gets us to a balanced budget. And the differences between the House and the Senate were not all that different. And yet hearing in the press, you would have though that they were very different. What we did is we made a determination that in 7 years, we wanted to slow the growth in spending so that it would ultimately intersect our revenues by the seventh year. And so that by the time we were going to have revenues at $1.8 trillion, we would have our spending at $1.8 trillion.

The red line that you see on this chart illustrates almost a parallel line between spending and revenue. They never meet because we always spend at deficits. So this was our objective, to get our financial house in order and to do it in 7 years.

The challenge in dealing with this effort was that I, as a Member of Congress, along with my colleagues, vote on about one-third of the budget. We vote on the pink part of the diagram, of this pie chart. We vote on what we call domestic discretionary spending. We vote on foreign aid. And we vote on defense spending through the Committee on Appropriations. Social Security, Medicare, Medicaid, and what we call entitlements, other entitlements, they just happen automatically. They are on automatic pilot. They do not get voted on every year. They are just part of the law.

So I do not vote on half of this budget. I vote on one-third, what is in the pink. And what is the yellow part is interest on the national debt. This year we are paying about $235 billion interest on the national debt. That is money that could go for education or infrastructure, investment. It is going for interest because past Congresses have simply been willing to deficit spend.

And the whole effort was to not only just look at the red part of this budget, what comes out of the Appropriations Committee, but it was to look at our entitlements, excluding Social Security, because in our Contract With America, we said the one thing that we would not change was Social Security, the contract of retirement payments to our elderly. But we would look at Medicare and Medicaid to save these programs and preserve them and also to slow their growth. We would look to slow the growth of other entitlements. We would look to actually have absolute cuts in domestic spending and foreign aid and to not go higher on defense spending than we are going today. Then we hoped by doing that we would shrink what is the yellow and shrink our annual interest payments.

So this was our challenge, to try to deal with the entire budget.

Now, when people look at this and they say, what did we do? Domestic spending, we actually are cutting spending. We are going to spend less money next year in domestic spending. That is what runs the judicial branch, the legislative branch, the executive branch, all the departments in the executive branch that are not defense. And we are looking to actually have real cuts, absolute cuts there. Foreign aid, we are going to reduce the budget significantly. Defense spending, we are looking to hold the line. And the challenge there is that we are oversubscribed by $150 billion in the next 7 years, because what Congress has done, regretfully, is it has pushed out the expenses of some of our procurement for our weapons systems and not had it show up in our 5-year budget because they pushed it to the sixth year. So we are oversubscribed in our defense spending.

So what do we have to do? We have to slow the growth of entitlements. We have to make real and absolute cuts in our domestic spending, and we want to bring interest down.

Now, people said, when you do that, you are cutting certain programs that we are not cutting. One of them was Medicaid. Medicaid is health care for the poor, and it is nursing care for the elderly, long-term care for the elderly.

This chart shows that we are actually going to be spending more money. In fact, subsequent to the agreement with the Senate, we are going to be spending more than you see here. But it goes from $89 billion, in 1995, to $121 billion. It increases over 30 percent in the next 7 years. We are going to be spending more. That is not a cut; that is an increase.

Now, the reason why some people call it a cut is they say they want to spend more and we are not spending to that level. We are going to be spending to $121 billion. How does that become a cut in some people's language? Because, and this is only in Washington that this happens, at least I do not know of it happening in people's own family environment or in their work place, but in Washington, if it costs $100 million to run a program and people say, it will cost $105 million to run the program the next year and Congress appropriates $103 million, in Washington that would be called a $2 million cut, even though we are spending $3 million more. In your home and in your workplace, you would be saying, if you spent $100 million and you are spending $103 million, that is a $3 million increase in the next year. So we are going to be spending more on Medicaid.

In fact, under Medicaid, we are going to spend over $324 billion more in the next 7 years than we did in the last 7. This line shows the increase in spending that takes place under Medicaid.

Only in Washington, when you spend $324 billion more in the next 7 years