The majority leader, you will remember, outlined a schedule for next week, and he conveniently omitted one piece of legislation from that schedule. This particular bill will be considered on a day when most of the Members of Congress are not present here in Washington. This particular bill will be considered under a procedure that limits debate to 40 minutes, with no amendments, and it can be actually defeated by one-third of the Members of this body.

This bill, the majority leader finally conceded, has not yet even been written, much less discussed and considered by a committee in Congress and presented to the American people for their debate, which is the normal approach in a democratic society.

Now, this particular bill is not a bill to name a post office in Podunkville after DICK ARMEY or to declare National Apple Pie Week. No, this particular bill deals with a subject that most Americans are concerned about, and that is our welfare system. It is a welfare system that is broke, that is not working for the taxpayer, quite clearly, but it is also not working for the people that it is designed to benefit.

I know that those of us on the Democratic side, from our unanimous vote in the last session of this Congress, expressed our view that we want to place an importance in welfare reform on work, on the value of work, on teaching the value of work, on helping families that have been torn apart get back into the work force and provide for their families. But if anyone would have thought we would deal with such a serious matter with the kind of stunt that we saw tonight, the notion that this Congress would take up a matter of such importance without any real debate, without the Members even knowing what was in the bill.

We did have one gentleman who thought he knew something about the bill. We learned that there were 97 line item vetoes by the Governor of Wisconsin in this bill. Under the debate procedure, we will have less than 30 seconds per line item veto to consider this.

One would think that this is, as I asked the majority leader, just another example of his very strange sense of humor; that this stunt is all a joke. But one who thought that would not have observed the way this Congress has been conducted for the last year and a half, for it has been one stunt after another like this that has created the greatest failure of any Congress in recent American history.

It all started last year when these Republicans decided that they were going to provide a tax break for the richest members of our society and make those who were now on Medicare pay for it. And so they set up a series of secret task forces, and those forces were out there figuring out how much more they could hike premiums, how much more they could increase the cost of health care for our seniors, all to provide tax brakes for those at the top of the economic ladder. And they did it all in secret, and then they came out here and presented it as essentially a ''take it or leave it'' plan, originally to our Committee on the Budget and finally to the House.

It is the same kind of extremism that caused this Government to be shut down last year for weeks at a cost of $1.5 billion. Frittered away. Totally and completely wasted American taxpayer money by these folks in their Government shutdown fever.

It is the kind of political theatrics that instead of coming in a sensible bipartisan moderate way to see how we change this welfare system and make it work and change this Medicare system and make it work better.

Mr. KINGSTON. Mr. Speaker, will the gentleman yield?

Mr. DOGGETT. I will not yield at this time. Perhaps at the conclusion of my remarks.

Mr. KINGSTON. I will be happy to yield back to the gentleman.

Mr. DOGGETT. I thank the gentleman for his comment. In fact, what I would like to do is to have an opportunity to yield and discuss and debate at length this whole subject of welfare reform instead of handling it in the same shabby way that the Republicans did Medicare reform last year, which was designed to provide those tax breaks for the people at the top of the economic ladder and make those people on Medicare bear the cost of those tax breaks.

Now we are going to approach this other tough issue in our society that needs to be attacked in a bipartisan way to try to get at the heart of making welfare work and making it work fair, but to do it in this kind of fashion, when even the Republican Members do not know what is in their bill, is the kind of extremist approach that America has rejected.

I think that it is time for this Congress to get down to business in a true Democratic spirit, not in terms of party but in terms of a process that does not come around with the kind of arrogance that we have seen here tonight, of saying we will present you something and you can take it or leave it, because that kind of approach is not going to produce any legislation.

That is why this Congress has nothing to show but political rhetoric and nonsense and wasted taxpayer money for most of the last year and a half, because these folks have not been interested in trying in craft legislation in a bipartisan way to deal with the true problems of this country. They have been interested in scoring political points.

They do not care next week whether one welfare mom goes back to work, because they are not interested in jobs for welfare moms. They are interested in protecting their own political job, and America is going to see through this kind of nonsense.

REQUEST OF PRESIDENT TO USE STATUTORY AUTHORITY TO SUSPEND DAVIS-BACON ACT FOR REBUILDING EFFORT IN OKLAHOMA CITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oklahoma [Mr. LUCAS] is recognized for 5 minutes.

Mr. LUCAS of Oklahoma. Mr. Speaker, I yield to my friend from Georgia a few seconds.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman from Oklahoma for yielding.

Had the gentleman from Texas yielded, what I wanted to point out is that the Republican Party, acting in a spirit of bipartisanship, is taking the President of the United States at his word on the Wisconsin waiver and we are going to have that bill on the floor of the House.

I am surprised, as I listen to these Democrats, that they are against it because it was President Clinton's idea. I wanted to make sure that folks know we are doing exactly what President Clinton called for and that no Democrats have expressed any outrage until suddenly tonight.

I thank the gentleman.

Mr. LUCAS Mr. Speaker, I think the gentleman's point is well taken.

Mr. Speaker, on July 27, 1995, President Clinton signed Public Law 104–19 which appropriated $39 million in Community Development Block Grants [CDBG] to assist citizens of Oklahoma City with meeting the financial hardships created by the bombing of the Alfred P. Murrah Federal building. This truly was the proper Federal response to a presidentially-mandated national emergency. Never before had Congress passed, and the President signed, legislation utilizing CDBG funds in this manner. An act of terror of this magnitude forces all of us to reflect on the standard operating procedures under which we, as a government, react to national emergencies. At this time, I am asking the President and the rest of the Federal Government to diligently reflect on how best we can restore Oklahoma City to where it was before 9:02 a.m. of that fateful day.

Mr. Speaker, as millions of people around the Nation joined the city of Oklahoma City on April 19 to remember those killed and injured in the bombing of the Alfred P. Murrah Federal building, they may have noticed the number of buildings that remain as damaged today as they were immediately following this tragic event.

On April 17 of this year, I sent a letter to President Clinton pointing out that there are major obstacles to fully utilizing the CDBG funds in the rebuilding effort and asking for his assistance in freeing up these funds to rebuild Oklahoma City. Specifically, I asked that he use his statutory authority to suspend the Davis-Bacon Act for these funds. It is my belief that in a unique situation such as what occurred in Oklahoma City, this authority

should be used. In fact, FEMA appropriations are not subject to Davis-Bacon to ensure that relief efforts can be accomplished in an expeditious manner so that the focus can be on rebuilding the communities affected. The funds appropriated to Oklahoma City should be seen in this light, which would warrant the suspension of Davis-Bacon.

To date I have received no response from the White House; by not responding to this request, President Clinton has ignored the request of Oklahoma City which has appealed to me for assistance in this matter. Last week, armed with specific case examples from Oklahoma City, I sent a second letter which again asked the President to exercise his authority to suspend this act. One example stated Davis-Bacon raised the costs of the project by 75 percent, and the city estimates that all project costs rise by an average of 25 to 40 percent. These are dollars that do not go toward disaster relief, but which are badly needed by the people of Oklahoma City.

According to title 40, section 276a–5 of the U.S. Code, ''In the event of a national emergency, the President is authorized to suspend the provisions of the Davis-Bacon Act.'' On the day of the bombing, the President issued a release stating that the bombing was a national emergency. I agreed with him and welcomed his pronouncement.

Mr. President, I ask you to take the next step and suspend the Davis-Bacon Act today. The sooner this is done, the sooner Oklahoma City will be able to fully utilize the money appropriated them last year.

I understand that Davis-Bacon is a politically charged issue and that this is a campaign year, but I maintain to the President that my motive for this request is not to repeal the Davis-Bacon Act, but to utilize the act to its fullest.

My point is that, in disaster situations, like what happened in Oklahoma City, the primary role of the Federal Government is to ensure that the fewest number of restrictions are placed on relief workers and small businesses. Had Oklahoma City received money from FEMA instead of from HUD, as disaster relief funds normally are, Davis-Bacon requirements would not have applied. Therefore, I feel this is a reasonable and nonpartisan request. I stand here today, as a representative of the people from Oklahoma City, who simply want to use the Federal relief funds in the matter that relief funds have historically been used.

Presidents Roosevelt, Nixon, and Bush, used this section of the law to suspend Davis-Bacon. Though there clearly is a precedent for suspending Davis-Bacon, there is no precedent for what occurred in Oklahoma City.

My question is simple: Mr. President, what will it be, yes or no?

Mr. Speaker, the letters of the President referred to earlier are included for the RECORD.

HOUSE OF REPRESENTATIVES,
Washington, DC, April 17, 1996.

Hon. WILLIAM J. CLINTON,
President of the United States,
Washington, DC.

DEAR PRESIDENT CLINTON: As we approach the one year anniversary of the tragic bombing of the Alfred P. Murrah Federal Building in Oklahoma City, I want to take the opportunity to relate to you certain problems that have slowed down the utilization of the $39 million in Community Development Block Grant (CDBG) funds by businesses and individuals. A similar letter has also been sent to Secretary Reich and Secretary Cisneros.

First, I want to emphasize that the people of Oklahoma, myself included, will forever be indebted for the federal response to this unprecedented act of terrorism. In fact, it is because of this rapid response that I feel that this issue must be addressed. As you know, Oklahoma City received $39 million in CDBG funds through the Department of Housing and Urban Development. Secretary Cisneros worked closely with myself and others to find offsets in this section of the budget and worked very hard to assure that the City would have flexibility in its use of this money.

At present, this money is subject to The Davis-Bacon Act, which requires small businesses to comply with Davis-Bacon reporting requirements and pay local prevailing wages for work associated with cleaning up and rebuilding the devastated area. The City of Oklahoma City has estimated that Davis-Bacon increases the cost of these projects by 25–40 percent and produces long delays. Even employees who want to help rebuild their workplace have to be certified under conditions of the Davis-Bacon Act and be paid as though they were general contractors. Like you, I want maximum utilization of the CDGB funds to rebuilt the City. Under these conditions, I fear that the $39 million will not be sufficient to rejuvenate Oklahoma City.

In Title 40, Section 276A–5, United States Code, the President has the authority to suspend the Davis-Bacon Act in times of national emergency. As you are aware, the Oklahoma City bombing was declared a national emergency on April 19, 1995. I am requesting that this authority be used. I am not advocating any statutory changes to be made to this Act, nor do I want this request to be seen as a testament to Davis-Bacon; however, in times of national emergency, appropriated funds should solely be directed for relief efforts. I'm afraid that currently that is not the case.

If this action is not desirable to the administration, I would recommend substantially increasing the threshold for Davis-Bacon projects so that small contractors can bid on this work. This would also allow small businesses to use their own employees to clean up and rebuild their stores. Again, this would only apply to the CDBG funds in Oklahoma City.

If this is done, I believe we owe it to the businesses and the community to set up an on-site verification process to immediately certify workers so that these relief projects can be expedited. This would not address the higher costs for these projects, but would allow them to commence work.

I believe that a solution to this problem can be achieved. The aftermath of the Oklahoma City bombing is a tremendous illustration of how federal, state, and local officials can work together and work with the community to address a disaster. I hope that this cooperation continues, and I thank you for your consideration of my requests.

Sincerely,

FRANK D. LUCAS,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 23, 1996.

Hon. WILLIAM J. CLINTON,
President of the United States,
Washington, DC.

DEAR MR. PRESIDENT: On April 17, 1996, a request was made for your further assistance in rebuilding Oklahoma City after the bombing of the Alfred P. Murrah Federal Building. As a unique and tragic event, the bombing has no parallel or precedent, which requires vigilance among citizens and public officials to continue our efforts to heal our broken community.

To date, I have not received a response from you regarding the City of Oklahoma City's request for a suspension of the Davis-Bacon Act (the Act) requirements as it relates to the CDBG funding for bombing relief. Title 40, §276a-5 (U.S.C.), provides the President authority to suspend the Act's requirements in times of a national emergency. On April 19, 1995, you declared a national emergency for Oklahoma City. Based on your tour of Oklahoma City on April 5 of this year, you know firsthand the extent of the damage that still exists one year later. Thus, quick action to our request will accelerate the recovery effort.

Recently, I received an interim response from Assistant Secretary DeCell of the Department of Housing and Urban Development, which was lacking in relevance and understanding of our problem. Hopefully, HUD's cursory examination will not weigh too heavily on your decision to grant our suspension request.

During staff discussions with HUD, it was mentioned that no precedent exists for such a suspension. In fact, President Roosevelt, Nixon and Bush have granted it on three occasions. Additionally, I trust you will agree that no precedent exists for what occurred in Oklahoma City and any reliance on past situations are not analogous or relevant.

The following are a sampling of real life examples of how the Act is constricting the rebuilding efforts. The increased costs are undeniable. The city of Oklahoma City has submitted a request for an additional $26 million in bombing relief. This subsequent request underscores the urgency in maximizing the relief funds already available to Oklahoma.

1. The use of a single ''prime contractor'' increases the cost of the project because the prime contractor will add overhead costs for subcontracting, administrative expenses to complete the Davis-Bacon compliances and profit.

2. Most Davis-Bacon wages in Oklahoma City exceed the wage that is usually paid in the open market.

3. Because Davis-Bacon sets specific wages for specific trades, the general laborer, employed by a small business, may perform several tasks during his daily shift. In a given day, the employee may use a backhoe, a shovel and frame walls in a building. Each trade classification has a different wage rate which must be documented with the number of hours worked in each classification. This means that in an eight hour day, the employee could use a shovel for 1.5 hours @$7.37 per hour, use a backhoe for 45 minutes @14.06 plus $3.49 in fringes/ per hour and frame a building for 5.45 hours @$11.90 per hour.

4. City staff have been told that if an employee is working at a higher wage classification, the employee must be paid at the highest wage rate regardless of the work being performed (See Asbestos removal).

5. Davis-Bacon does not take into account merit and longevity of employees and their corresponding wages. All employees are paid the same minimum wage regardless of experience. An employer could pay more than the

minimum wage to more senior employees, but that is unlikely given that the minimum wage is usually more than the most senior employee makes on projects not subject to Davis-Bacon wages.

6. According to the Department of Housing and Urban Development, repairs to bomb-damaged buildings completed before October 30, 1995, are not subject to Davis-Bacon wages. Any project after that date is subject to Davis-Bacon. If the work has been completed by the property owner and the contractor has been paid and his employees have been paid:

(a) What incentive does a contractor have to recalculate all of his employee hours at the Federal Wage rate?

(b) If a contractor does not want to re-figure his wages, what recourse does an owner have to get reimbursed? (The contractor has been paid, why spend the time to re-figure?)

(c) When the contractor does comply, he will add overhead and profit to his costs making the job even more costly.

7. The $2,000 threshold for Davis-Bacon projects is too low. If you have two items to replace such as a window and an overhead door, the total cost may only be over $2,000. Each contractor will spend an hour or less on the job to install the products. Most of the bid is for the product, not the labor. A small independent contractor or small business owner will spend three days filling out paperwork for an hour-long job (See 1 NW 12th Example).

EXAMPLES

311 N. Harvey—original bids:	
Ward Construction	$2,900
Southwestern Roofing	21,398
Total	24,298
Revised Davis-Bacon bids (11% increase)	27,000
520 N. Hudson—original bids:	
Brat Paint	5,434
Mike Harper	675
King Electric	3,045
Mid-American Roofing	32,134
Total	41,288
Revised Davis-Bacon bids (One Prime Contractor) (44% increase)	59,398
225 NW 6th—original bids:	
Overhead Door	1,600
Mid-American Roofing	37,578
Total	39,178
Revised Davis-Bacon Bids (One Prime Contractor) (25% increase)	48,920
408 NW 6th—original bids:	
Central Glass	7,209
Bob Growan (exterior paint)	2,305
Ed Orr (replace ceiling)	11,900
Total	21,459
Revised Davis-Bacon Bids (75% increase)	37,720

In this case at 408 NW 6th, the property owner obtained the low bids above from individual contractors. The owner had also completed some minor reimbursable repairs prior to this bidding. The owner was told that he would have to rebid the project with the required wage rates and that he could only sue one ''prime contractor'' on projects where Davis-Bacon wage rates are in effect. The results of bidding the same work with general contractors and Davis-Bacon wage rates, is provided. This is an increase of $16,261 or 75% for the same work.

Although this may be an extreme case, history with our program shows most increases due to wage rate requirements in the range of 8–50%, it is indicative of the possible cost increase that can result from a combination of wage rate requirements and the use of general contractors on small jobs. The property owner was not surprised that the price increased significantly, but was baffled that we required him to do this. His question was why? To be honest, I don't know, other than ''that is the federal requirement.''

1 NW 12th Street: Taylor's Downtown Glass gave a bid of $433.23 to replace a window in a downtown building. It will take less than 30 minutes to perform the task. Tull Overhead Door gave a bid of $3,597.00 to replace an overhead door. The contractor will spend less than an hour installing the product. Taylor's Downtown Glass spent three days filling out the paperwork and has to keep track of the entire week of payroll for a job that takes less than 30 minutes. Tull Overhead Door spent costly time attending a pre-work conference that was required even though he had done Davis-Bacon work before.

Asbestos Removal: The federal wage rate for Asbestos Workers is $18.00 per hour plus $5.13 in fringes. The problem is that local asbestos abatement companies only pay that rate to employees when working in full containment garments (''moon suits'' with respirators). Otherwise they pay them at a regular common laborer rate or a wage rate that corresponds to their other job.

However, according to Davis-Bacon Rules, the abatement workers must be paid as such when they are driving a truck, unloading lumber and building containment areas, load out areas, etc. This will increase the asbestos abatement cost significantly and our project designers are amazed that this rule must be followed.

CONCLUSION

The point of the examples provided in this letter is that there is a substantial cost factor involved in implementing this program with Davis-Bacon prevailing wages, and I feel the money would be better spent providing additional assistance to those who were damaged. In addition, the fact that we must pay these wage rates with the accompanying reporting paperwork for businesses and additional City staff costs, frequently adds to the frustration of those who we are trying to help. Business and property owners often state that this is just another example of the government doing everything slower and at an increased cost. Unfortunately, I must agree with them.

I realize that there may be a reluctance to suspend Davis-Bacon wage rates for these funds. Although, I do find it interesting that if Oklahoma City had obtained funding through the Federal Emergency Management Agency (FEMA), as is typical in a disaster area, federal Davis-Bacon wage rates would not apply. However, because Congress designated Community Development Block Grant Funds (CDBG) for this unique disaster, HUD requires all construction projects with a total project cost of $2,000 or more to pay Davis-Bacon wages. In general, if the intent of the FEMA policy is not to burden those affected by a disaster or emergency with Davis-Bacon requirements, then I feel that the same policy should apply to the unique situation in Oklahoma City.

Your attention to this matter is truly appreciated. I look forward to our continued cooperation in assisting those damaged and providing for the revitalization of the areas affected by the bombing.

Sincerely,

FRANK D. LUCAS.

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THE CONTINUED ASSAULT ON OUR NATION'S WORKING FAMILIES AND SENIORS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota [Mr. VENTO] is recognized for 5 minutes.

Mr. VENTO. Mr. Speaker, during the past year, the majority has consistently advocated proposals to weaken programs and protections for our Nation's working families and seniors. As recent action shows, the majority has not been listening to the consistent and concerned voices of the American people which have expressed opposition to these proposals.

The majority is once again proposing fundamental changes in Medicare and Medicaid, which I might say helps and empowers over 70 million Americans gain access to health insurance. Their plan is to change the Medicare and Medicaid from programs which assure health care for those who need it to programs which limit Federal spending to a defined amount. In other words, they are changing them from defined benefit programs to defined contribution programs.

Congress should be acting to expand health care coverage and rein in escalating health care costs, but instead, Republicans in this Congress are focused on tearing our Nation's health safety net, potentially adding millions more to the ranks of the uninsured.

At the same time, the Republican plan includes tax breaks from $124 billion to $175 billion over the 6 years, and leaves the option open for even additional tax breaks, such as the costly capital gains tax break.

The majority would not need to make such drastic cuts and changes in Medicare and Medicaid if they did not insist on providing tax breaks for the wealthy.

Their plan will jeopardize health care for 623,000 Minnesotans who are enrolled in Medicare and 443,000 Minnesotans that receive help from Medicaid, half of those are children. In other words, 220,000 children receive Medicaid in Minnesota. In fact, about 1 in 5 Minnesotans relies on Medicaid or Medicare; over a million people.

The Republican Medicare plan continues to essentially include the same policy proposals as last year's plan, drastically cutting payments to the providers, restructuring the current programs, and heavily relying upon untested medical savings accounts. The medical savings accounts proposal has been predicted to cost, at a loss to the Medicare trust fund, an estimated $15 billion because Medicare funds would be given to healthier, wealthier people who most often do not need medical care.

The claim of extending Medicare solvency is only a pretext for the out of context policy the GOP pursues. The Medicare Part A program needs changing, but the Republican plan goes too