

Mrs. CLAYTON. Mr. Speaker, today we begin the debate on the issues surrounding H.R. 5, the Unfunded Mandate Reform Act. As we consider this matter, let us not be blind supporters of a bill that may threaten the well-being of Americans, a bill that seems to threaten to eliminate Federal standards for workplace safety. Mr. Speaker, safety in the workplace has been a priority for the Federal Government since 1938, when President Roosevelt signed into law the Fair Labor Standards Act.

Subsequently, in 1970, with the passage of the Occupational Safety and Health Act, this commitment to high standards for the safety of our workers was solidified. I believe that laws such as these should be exempt from the provisions set out in H.R. 5. In fact, the sponsors claim that the safety and health areas are excluded. As a former county official, I am very sensitive to, and well acquainted with the potential financial and administrative burdens that Federal unfunded mandates place on State governments. I strongly believe, however, that when giving thought to reducing those burdens, we do not sacrifice the rights of American workers.

Entities within the States, sometimes, because of other pressures and interests, fail to follow minimum standards of safety, and fail to adequately protect the public. That is why the Federal Government has historically exercised a role in the area of health and safety. I am reminded, for example, of the Hamlet fire that occurred in my home State of North Carolina in 1991. Two hundred people were at work that day in a chicken processing plant, mostly young women, trying to support families. Suddenly, a hydraulic hose broke, its oil catching fire when it hit an open flame used to boil oil to fry the chicken.

Twenty-five workers lost their lives. The owner was found guilty of manslaughter, and numerous safety violations were found. I am proud to say that after the fire my home State of North Carolina met the responsibility headon, doubling its number of OSHA inspectors and putting nine million more dollars of funding into the program to ensure that we met the Federal standards, that we protected the public.

It should not take a tragedy like the fire in North Carolina, however, to spur entities on in their responsibility. States can benefit from and these entities, public and private, and need Federal imposition of minimum health and safety standards. I intend to sponsor an amendment that will make clear that Federal workplace safety standards will not be abandoned by language that is overreaching and overly broad. If we pass the Unfunded Mandate Reform Act without making that principle clear, we may find that on worker health and safety issues we have turned the clock back more than half a century. Without an express and specific exemption for workplace safety

laws, that step back in time is a real possibility. More importantly, it will become a real possibility as soon as the unfunded mandate law takes effect. That is because we are sure to be considering the basic workplace safety laws during this and future sessions.

It should not escape our attention, Mr. Speaker, that workplace safety laws were first adopted by the States. Massachusetts passed the first law in 1877. By 1890, 21 States had passed occupational safety and health laws, and by 1920 every State in the Union had enacted such a law. But these laws did not go far enough. These laws lacked the teeth to adequately protect the public and workers on the job. That is why the Federal Government stepped in.

Before the enactment of the Fair Labor Standards Act and, ultimately, the Occupational Safety and Health Act, there were an estimated 14,500 persons killed annually as a result of accidents on the job. Another 2.2 million workers were disabled on the job each year, causing the loss of some 250 million employee work days. And some 390,000 new cases of occupational diseases occurred on an annual basis. As a consequence of these deaths and injuries, more than \$1.5 billion was wasted each year in lost wages, and the Nation lost an estimated \$8 billion from its gross national product.

It is obvious, therefore, Mr. Speaker, that the issue of workplace safety is an issue which we in the Congress have a right, indeed a constitutional duty, to insure.

The cost to the States of meeting the minimum standards imposed by the Federal Government are not so severe as to abandon this very important principle. Indeed, the Federal Government pays for the workplace safety inspectors. But, the cost to the public if we abdicate our responsibility and surrender workplace safety protections can be quite severe.

Just ask the families and friends of those who died in the Hamlet fire. Just ask the loved ones of those whose lives were cut short or whose limbs were lost before we imposed minimum standards. Mr. Speaker, this is not a matter that should be rushed through and rubber stamped because some Members believe it is more important to make some point in 100 days than it is to save 100 lives. I hope every reasonable amendment will be considered as we seek to perfect this bill. The public is entitled to nothing less.

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#### UNFUNDED MANDATES

(Ms. JACKSON-LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE. Mr. Speaker, I come here today to talk about a very important issue that impacts the 17,000 towns and cities that I have had the honor of being involved with as a city council member but also as a member of the board of directors of the National League of Cities. We must protect our Nation's cities from any ten-

dencies this governing body may have of shifting the cost of federally mandated programs to our lower levels of government. I have been there. I know what it means to balance the budget. As a former member of the Houston City Council, I can testify to those frustrations and the hard work they put in when we attempt to work with the needs of our community.

The local government must face the times when they have to have a strict budget and a budget that complies with the laws of that particular community. So there must be a need to understand the burden it puts on those local jurisdictions when Congress dictates legislation that they have to pay for.

My concerns over the issue of unfunded mandates arise particularly in light of current debates over the past decade of a balanced budget constitutional amendment. If the amendment is passed, Congress will be forced to tighten its financial belt, which is something that none of us would argue as unnecessary.

But at the same time, we all know that Congress will continue to make laws and many of these laws will undoubtedly carry with them the mandate of enforcement without the backing of the Federal check if we do not pass a protective law such as the one we are passing today on unfunded mandates.

However, I think there are concerns we raise on H.R. 5, and that is we all want to have clean water; we want to have safe food; and we want to have a fair working standard. So it is important that we must not overburden our local governments.

Yes, we must not overburden our local governments to pay for regulatory matters sent down from the Federal Government that are unfunded, but shall we outlaw regulations which are partially funded? Regulations which are important protective measures for our environment, health, and safety?

We do need to look at the issue of unfunded mandates, especially as they may pertain to the increased frequency expected to accompany a passed balanced budget amendment. We must also stop to realize that we cannot fully fund all of the measures that we need to pass, and that perhaps we can send them to the local governments at least partially funded rather than the current trend of sending them unfunded.

#### THE FREEDOM AND SELF-DETERMINATION FOR THE FORMER SOVIET UNION ACT

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

Mr. SOLOMON. Mr. Speaker, on Friday, I introduced H.R. 519, the Freedom and Self-Determination for the Former Soviet Union Act. It is so entitled because enactment of the bill into law would greatly help to reverse the trend in the former Soviet Union toward renewed Russian imperialism. That trend is being fueled by a Russocentric United States