

This is the sort of mindlessness the Republicans want to encourage with the takings bill.

Of course, the irony of this is that the Constitution is already perfectly clear in saying that private property owners are protected from genuine takings. The fifth amendment says that property can't be "taken for public use, without just compensation," and the courts have made plenty of consistent rulings on what this means. As recently as 1994, in *Dolan versus City of Tigard*, the Supreme Court held that a city government could not require a hardware store owner to build a bicycle pathway on her property as a condition for getting a permit to increase the size of her store and build a parking lot. And if the city did require it, she'd have to be compensated.

Under the Constitution, this ridiculous Summitville suit, which is a money grab, and not a genuine taking, would be thrown out of court. But if the takings bill passes, the suit would no doubt prevail, and every American taxpayer would pay for this catastrophe a third time when they're forced to write a check to Aztec Minerals, Gray Eagle Mining, and South Mountain Minerals.

If the takings bill passes, here's the choice we'd face at Summitville: EPA could continue to contain the chemicals at the plant, and protect the people and environment downstream. The companies who are suing the Federal Government would win their ridiculous suit, and the taxpayers would be forced to pay them who knows how much money. Or, in order to avoid the lawsuit, EPA could stop the containment efforts, pull up stakes, and let cyanide run down the river. That's the choice—the absurd, incredible choice.

Mr. CANADY of Florida. Mr. Chairman, may I inquire as to the amount of time remaining for each side?

The CHAIRMAN. The gentleman from Florida [Mr. CANADY] has 14½ minutes remaining, and the gentleman from Michigan [Mr. CONYERS] has 15 minutes remaining.

Mr. CANADY of Florida. Mr. Chairman, I reserve the balance of my time.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. WALDHOLTZ), having assumed the chair, Mr. SHUSTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 925) to compensate owners of private property for the effect of certain regulatory restrictions, had come to no resolution thereon.

#### THE CASE FOR MAINTAINING NUTRITION FEEDING PROGRAMS

(Mr. FALEOMAVEGA asked and was given permission to address the House for 1 minute and to revise and

extend his remarks and include extraneous material.)

Mr. FALEOMAVEGA. Mr. Speaker, it has been my privilege in recent years to listen and to observe some of the most lively and historical debates in this Chamber on issues that affect the lives and well-being of all the citizens of our great Nation.

Certainly the 104th Congress is no exception, and we are again at the crossroads to deliberate fully—and hopefully—the merits of the important issues that are now before us.

Mr. Speaker one of these issues is whether our national government should just eliminate the several social and nutritional programs currently in place, and just "block grant" the funding to States and let the State governors conduct the redistribution of the resources since they supposedly know better where the needs are.

I want to share with my colleagues an article that appeared in yesterday's *Washington Post*, written by Dr. Louis Sullivan, former U.S. Secretary of the Department of Health and Human Services during the administration of President George Bush. Dr. Sullivan's statements are quite profound—in my humble opinion—as he clearly reminded all of us here in this Chamber to examine the merits of these programs, and let's not rush into a feeding frenzy by just cutting and slashing these programs without meaningful review and examination.

In the WIC Program, for example, Dr. Sullivan states:

... This prescriptive program has enjoyed bipartisan support since it was established by such leaders as Senator Bob Dole and the late Senator Hubert Humphrey. By providing necessary nutrition to pregnant women, lactating mothers and one-third of all children born in the United States, WIC—quite simply—works. . . .

In the case of WIC, nutrition requirements guide the program toward better health, and Medicaid savings, while avoiding the potential confusion associated with creating a complex web of 50 different State rules. . . .

Mr. Speaker, someone once said that haste makes waste. As we deliberate on the fate of these social and nutritional programs that affect the lives of millions of families, women and children throughout America—let's tread carefully and let's not appeal to political expediency and convenience as the basis of how we make decisions in this important institution of our national government.

[From the *Washington Post*, Feb. 28, 1995]

ONE FOR OUR CHILDREN  
(By Louis W. Sullivan)

As the nation engages in debate over the future role and direction of the federal government's activities in a host of programs, there is much that can be learned about federal-state cooperation and cost effectiveness in the example of one program that delivers tremendous benefits to some of the most vulnerable in our society.

The WIC Program—the Special Supplemental Nutrition Program for Women, Infants and Children—has a 20-year track record demonstrating how federal programs implemented by states can achieve important national goals, while saving taxpayers

billions of dollars in preventable health care costs. In the drive to streamline and improve government programs, the need for WIC and WIC's success should not be obscured.

This prescriptive program has enjoyed bipartisan support since it was established by such leaders as Sen. Bob Dole and the late Senator Hubert Humphrey. By providing necessary nutrition to pregnant women, lactating mothers and one-third of all children born in the United States, WIC—quite simply—works. The program serves nearly 7 million mothers and children each month at a cost of less than \$1.50 a day for each participating child. For that small amount, this program results in significant Medicaid savings that far outweigh the program's costs—by a ratio of 3-to-1, according to several studies. That is clearly an overwhelming return on a small national investment.

WIC's well-documented success is founded in its rock-solid nutrition standards. The foods offered must achieve requirements for iron, calcium, Vitamin A, Vitamin C and protein. Goals for these nutrients were selected based on firmly documented scientific evidence that increasing the intake of these nutrients at key junctures in fetal development and in infants' lives would improve health, reduce low birthweight and lower infant mortality.

There is no question that the societal costs of undernourished children are stunning. During my tenure as secretary of the U.S. Department of Health and Human Services, I recall visiting neonatal intensive care facilities at hospitals in Fort Lauderdale and in Detroit. In both facilities, I was saddened to observe low birthweight infants who had been hospitalized for the first six months of their lives. Hospital bills for these tender babies had already exceeded hundreds of thousands of dollars. I've always believed that the frequency of these perilous beginnings of life could be reduced by proper nutrition at critical stages in an infant's development.

Those compelling experiences aided me in formulating one of our major undertakings at HHS—development of the Healthy people 2000 initiative. By establishing health promotion and disease-prevention goals for the nation, we sought to achieve realistic concrete results by the year 2000. These included goals of reducing infant mortality, reducing the incidence of low birthweight and increasing early prenatal care. Our efforts were motivated by persuasive research documenting savings of \$14,000 to \$30,000 for every infant born without low birthweight.

The results of WIC's short-term nutrition intervention are compelling evidence that this type of preventive care works. A USDA study of WIC children found a 33 percent reduction in infant mortality and as much as a 23 percent reduction in premature births. A 1992 GAO study found a reduction of as much as 20 percent in low birthweights among WIC participants. The Centers for Disease Control and Prevention documented a dramatic reduction in childhood anemia among WIC participants. What's more, the GAO study found that WIC's role in connecting participants to health care providers produced an improvement in immunization rates among WIC participants.

Perhaps the wisest provision of WIC is that it is administered by caring people at 9,000 clinics who teach young mothers how to eat properly and how to feed their children properly. With convenient, nutritious food, WIC serves as an in-home laboratory for proper eating. For many mothers, WIC is often their first course in nutrition.

Among my concerns as we reform our welfare system is that we may inadvertently strip programs of the national standards and guidelines that make them work. In the case

of WIC, nutrition requirements guide the program toward better health, and Medicaid savings, while avoiding the potential confusion associated with creating a complex web of 50 different state rules. Our children's health is not defined by state boundaries. Our nutritional standards should not be either.

As we come to grip with the changes voters demanded three months ago, we must find ways to more effectively achieve national policy goals with fewer dollars. WIC has been a real success story, and it should be used as a model and not lost, in the block grant debate.

[From the Washington Post, Feb. 28, 1995]

CHEWING ON A POOR IMAGE

(By Mary McGrory)

Can Republicans blush? Now is the time if they can.

White House Chief of Staff Leon E. Panetta believes it is possible and is embarked on a campaign to shame them for their moves against the poor in the string of slash-and-burn votes that made them look—as one of them said on background—“more like the party of Herbert Hoover than Abraham Lincoln.”

Panetta is taking the cuts personally. He worked on many of the nutrition programs himself during his 17 years in the House. He worked with many Republicans who voted to dump them and replace them with block grants to states.

“I wake up in the night and I say they can't be doing this in the '90s. These are programs they have never criticized. Why are they messing with programs that work? This is worse than Reagan trying to call catsup a vegetable. They're saying catsup is a meal, they're trying to get rid of the whole meal.”

Republicans protest that they have been misunderstood and misrepresented by the Democrats. They admit they have a perception problem, but say that just because a Republican-led House Appropriations subcommittee voted to repeal the school lunch program and transferred money to the states to feed children doesn't mean they don't care about hungry kids. And they say booting the Women, Infants and Children feeding program to the states doesn't mean heartlessness. They increased funding—which critics say can be used for other purposes at the discretion of the governors.

While they were in the grip of this revolutionary fervor, the Republicans also dumped the summer jobs program, which Labor Secretary Robert B. Reich rightly says is an insurance policy for urban peace, and have issued an eviction notice to the National Service Corps, the new program that lets young people be idealistic while earning money for college.

But the tumbrels did not roll for the Food Stamps program. Somehow, it escaped. House Agriculture Committee Chairman Pat Roberts (R-Kan.) convinced House Republican leaders that food stamps should be spared the guillotine, although the “Contract With America” had prescribed it. This was the first domestic setback for the November victors, who lost a foreign policy round two weeks ago when balky freshmen refused to finance a revival of a “Star Wars” antimissile system.

Panetta speaks dryly of the miraculous deliverance of food stamps. While it is a good sign and shows some recognition of the need for the safety net, he says that “farm organizations may have had more to do with that than concern for kids.”

Unfortunately, the school lunch program has no lobby, no PACs, no clout. But Panetta says that it isn't only liberal Democrats who will stick up for the \$11 billion program

which feeds breakfast and lunch to children who otherwise would have to try to learn Latin on empty stomachs. Panetta has sent out a call to the educational, religious and business organizations that want to convince Republicans that America did not vote to take bread out of children's mouths last November.

Panetta does not want to wait for the expected Senate reversal of the House rampage. He thinks it has to be stopped now, before the full House votes. The conventional wisdom is that if the House is “Hellzapoppin,” the Senate is reason, but Panetta wants to scotch right now the idea that it is okay for “a government to attack its own people.”

He wants people to remember the '80s, when President Ronald Reagan assaulted the school lunch program on the grounds that he wanted to target the truly needy, of course. “What happened,” says Panetta, is “that 1,000 school cafeterias shut down. The schools could not afford to keep them open, and 1.2 million children did not get school lunch.”

The fad of deifying governors and insisting that states can do everything better is not new. Panetta remembers from his days as a California congressman when LEAA (Law Enforcement Assistance Administration) was the rage and sheriffs used federal grants to buy hunting trucks instead of hiring new deputies.

He will try to rally his old House colleagues. He hopes they will offer a stream of corrective amendments. Sample: House Speaker Newt Gingrich (R-Ga.) should divert the additional \$600,000 he requested for office expenses to school lunches.

One governor entirely of the Panetta persuasion is Howard Dean of Vermont, the Democrat who is chairman of the National Governors' Association. He stormed through the Capitol, holding news conferences, calling the cuts ludicrous and a vote on them “a test of decency.”

“You cut out school lunches, you cut down their chances to learn and you increase the risk they'll end up in foster homes or prison,” says Dean, who was voted by the conservative Cato Institute as the fourth most conservative of the nation's governors.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, and under a previous order of the House, the following Members are recognized for 5 minutes each.

#### MAKE THE IMMIGRATION AND NATURALIZATION SERVICE MORE RESPONSIBLE

Mr. KLINK. Madam Speaker, the United States Government in all of its ineptitude is keeping an 18-month-old child from being able to live with her family. Our Government is keeping 18-month-old Heather Corbett in Poland while her family lives in Butler County, north of Pittsburgh.

The Corbetts are like many families who for one reason or another choose to adopt a child. Heather Michell Corbett was born Dominika Katarzyna Hrabia. Her birth mother was unmarried and her father Jacek Hrabia is married, but to another woman. Both parents have consented that Heather Michelle, as she is now known, would be adopted by Dennis and Cindy

Corbett of Butler, PA. In fact they gave their consent to the adoption in open court on November 8, 1993.

But to this day—after 1 year and four months have passed—Heather Michelle has not been able to travel to her new home in Butler, PA. The reason—the Immigration and Naturalization Service will not give the child a visa to travel to America. Now understand this is the same INS that cannot protect our borders, as they allow thousands of illegal aliens from coming to this country every day—many with criminal records. Yet when it comes to this young child and her family no visa can be given, no rule can be stretched, no solution can be found to allow this young family to be together.

If Heather's birth mother had abandoned her at birth, she could get a visa, but because both her birth mother and birth father cared enough to see that she got into foster care and was adopted by loving caring parents, the child and the loving caring parents are being kept apart by the INS.

This situation has caused the Corbetts tremendous stress financially and emotionally. Mrs. Corbett has spent time traveling between Butler, PA, and Poland taking care of family members at both ends.

Mr. Speaker, the building blocks of this great Nation are our families. If the family is not strong the Nation cannot be strong. Dennis and Cindy Corbett want to bring Heather Michelle home where she will be loved and will grow to be a contributing member of our society, but the Immigration and Naturalization Service says that because the child was not abandoned or deserted by the natural parents, because they specifically said the Corbetts should be the adoptive parents, Heather Michelle Corbett, age 2, cannot come to America.

Drug dealers and murderers cross our borders every day. The INS is helpless to stop them, but now they have found someone they can stop and it doesn't matter what is wrong or right, it only matters to the INS that their rules are kept by the letter in this case, no matter how innocent the people are who are being hurt.

This is no more that bureaucratic child abuse and the INS are the bullies that are perpetrating that abuse. And now, Mr. Speaker, you and others are aware and if we do not take action to make the INS more responsible we share in that abuse.

I want to share with you, Madam Speaker, a letter that I received from Heather Michelle's grandmother, and she signed this letter June 14 of 1994. We have been working very hard for a long time trying to bring this situation to some conclusion, we have tried everything that we can, and virtually we have run into a roadblock with the INS. The letter says:

June 14, 1994.

Mr. Ron Klink I am writing to you regarding Cindy and Dennis Corbett of 195 Pinetack