

the forefront of the development and utilization of technology in education. For instance, through WJCT's National Teachers training Institute in Math, Science, and Technology, our local teachers learn the latest techniques for using technology in the classroom.

Programs like "Reading Rainbow," Sesame Street," and "Mr. Rogers' Neighborhood" are seen by school children and preschoolers in our community every day. Helping to prepare youngsters for school, and enhancing their education once they start school, are among public television stations' and our community's highest priorities.

Federal dollars are extremely important to these stations. Without them, WJCT's "Radio Reading Service for the Blind and Visually Impaired," and captioning of regularly televised local government meetings for the hearing impaired would not be possible. WCEU would not be able to produce programs like "Mathline," a pilot project, which trains teachers in the latest mathematics techniques. WMFE could not provide programming for public school systems in grades K-12, audio reading services for the visually challenged and print disabled, and public affairs shows like "Opinion Street." WUFT's daily half-hour News Five broadcasts, local television programs like the weekly "North Florida Journal" public affairs television programs, and the weekly minority affairs series "Reflections" would have to be reduced or eliminated.

Public radio and television provide these and many other services nationwide at the remarkable low cost of \$1.09 annually per person. On the local level, Federal funds make up approximately 14 percent of WJCT's budget, 17 percent of WFME's budget, 20 percent of WUFT's budget, and 34 percent of WCEU's budget.

"Privatizing" public broadcasting means commercials, and dollar-driven programming, which would radically change the face of this unique broadcasting medium. If instructional/educational broadcasting could generate high profits, public broadcasting already would have become a commercial venture.

As representatives of the people, we must be constructive, creative, and cost-efficient in achieving our national goals of good education and the opportunity for rich cultural resources for all of our citizens. If we realistically evaluate what public broadcasting actually offers to our communities, I believe that we will see the value of continued funding for this very cost efficient and successful, national educational and cultural institution. Thank you for allowing me this time to tell you about the importance of continued Federal funding for public broadcasting for my constituents in the cities of Jacksonville, Gainesville, Daytona Beach, and Orlando.

#### TRAVEL TIME IN COMPANY VEHICLES

**HON. HARRIS W. FAWELL**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 1995*

Mr. FAWELL. Mr. Speaker, today I am introducing legislation which will ensure that the Portal-to-Portal Act and the Fair Labor Standards Act are not misinterpreted by the Department of Labor [DOL] and the courts in such a

fashion that employers are required to compensate employees for their use of company vehicles in their commutes.

The use of company vehicles by employees is pervasive in many industries. Police departments, air conditioning contractors, heating oil retailers, plumbers, and carpet cleaners all provide vehicles to their employees. This is generally seen as a benefit to the employee who is able to carry personal tools and equipment in a company vehicle to the first job site, without having to physically check in at the company office. The employee also does not have to buy a vehicle for commuting and saves money on gasoline.

Despite the clear benefits to the employee from this practice, DOL has indicated that employers should pay employees for time spent in company vehicles commuting to the first job site. Last year, after some pressure from several members of this body, DOL agreed to stop enforcing the policy pending a departmental review. This policy would create additional paperwork for the employer and increased employers costs, with the end result of generally discouraging this practice. Many employers may then decide to arrange the central storage of all the vehicles and to require the employee to pick up the vehicle in the morning, transfer his or her tools into the company vehicle and drive to the first job site. At the end of the day, the employee would then have to return to the company, transfer the tools back to his or her vehicle and drive home. This alternative clearly does not benefit the employee.

The longstanding practice utilized by employees and employers works well and benefits both parties. My legislation would make it clear that the use of a company vehicle by an employee for commuting from home to the first job site and from the last job site to home does not require the employer to compensate the employee for commuting time. I look forward to enacting this legislation in the 104th Congress.

#### COMMON SENSE LEGAL STANDARDS REFORM ACT OF 1995

SPEECH OF

**HON. LOUIS STOKES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 8, 1995*

The House in Committee of the Whole House on the State of the Union had under consideration the bill H.R. 956, to establish legal standards and procedures for product liability litigation, and for other purposes:

Mr. STOKES. Mr. Speaker, I rise in strong opposition to H.R. 956, the Common Sense Legal Standards Reform Act of 1995. While I agree that some reform of our Nation's product liability laws may be appropriate, this legislation goes too far, favors producers of dangerous products too much and provides too little protection for ordinary citizens. I cannot support this effort to significantly curtail Americans' rights to seek redress in the courts when they have been needlessly injured, maimed, or killed by dangerous products.

This dangerous and hurried legislation will not only fail to truly reform the product liability litigation laws that need reforming, but will endanger the American public by stripping away the most important checks and balances sys-

tem Americans have—the American judicial system. It would be the height of irresponsibility for Congress to take from the American people their ability to protect themselves, their families and loved ones from dangerous products.

The bill before us today, the Common Sense Legal Standards Reform Act of 1995, will not only attempt to undo many of the important accomplishments of the U.S. Congress, Federal agencies and over 200 years of American common law, but also seeks to undermine many of our Nation's most important mechanisms to enhance safety for all Americans.

The stated purpose of the Common Sense Legal Standards Reform Act is to impose on State and Federal juries limits on the amount of punitive damages of \$250,000. It also imposes on States, Federal standards for all product liability lawsuits. Additionally, the bill contains several special interest exceptions for drug companies and aircraft manufacturers in addition to other friends of the new majority.

While I agree that Congress should investigate reforming products liability litigation, this proposed measure goes well beyond the legitimate objective of balancing responsibilities and risks. In fact, this bill is specifically designed to inhibit the will of the people by creating artificial special interest exceptions, and obstacles for injured and maimed citizens who seek redress in the courts. The current majority has long sought to weaken, if not totally eliminate, Americans ability to protect themselves in the courts.

Supporters of H.R. 956 have argued, and I agree, that most products produced in this Nation are the safest, highest quality products produced in the world. Yet, the fact remains that too many dangerous products exist. When injured by one of these dangerous products, Americans' last recourse is the American judicial system.

Proponents of this bill have argued that curtailing citizens' rights to open access to the courts is justified because there has been an explosion of product liability litigation. This argument is simply not supported by the facts. According to the "1992 Annual Report of the National Center for State Courts," the actual number of product liability claims is extremely low, a mere 4 percent of all personal injury cases. The evidence shows that products liability cases represent only .0036 percent of the total civil caseload in State and Federal courts.

There has been no explosion in products liability lawsuits as republicans assert. Excluding asbestos cases, the number of product liability cases filed in Federal courts between 1985 and 1991 actually declined by approximately 35 percent, from 8,268 to 5,263. The only significant increase in litigation over the past few years has not taken place in the area of products liability. It has been caused instead by large corporations suing other large corporations. A 1990 study reveals that corporate contract cases increased 232 percent and make up more than 18 percent of all civil cases as opposed to .0036 percent for product liability cases.

Another artificial justification for passage of H.R. 956 has been the alleged explosion in the frequency and size of punitive damages awards. The fact is, courts rarely award punitive damages. A 1993 Suffolk University law