

self-petitioners; prevents changes in abuser's status from undermining victim's petitions; provides for numerous waivers and exceptions to inadmissibility for VAWA eligible applicants; improves access to VAWA for battered immigrant women whose spouse is a member of the armed forces, who are married to bigamists, and/or are the victims of elder abuse; allows for discretionary waivers for good moral character determinations; removes public charge for VAWA applicants; gives VAWA applicants access to work authorization; allows VAWA applicants access to food stamps, housing and legal services; trains judges, immigration officials, armed forces supervisors and police on VAWA immigration provisions.

Subtitle D. Conforming Amendments to the Violence Against Women Act—amends the definitions of underserved in the Family Violence Prevention and Services Act and the Omnibus Crime Control and Law Enforcement Act in order to create consistent use of the term.

**TITLE VII.—Violence Against Women and the Workplace**

Subtitle A. National Clearinghouse on Domestic Violence and Sexual Assault and the Workplace Grant—establishes a clearinghouse and resource center to give information and assistance to employers and labor organizations in their efforts to develop and implement responses to assist victims of domestic violence and sexual assault.

Subtitle B. Victims' Employment Rights—prohibits employers from taking adverse job actions against an employee because they are the victim of violent crime.

Subtitle C. Workplace Violence Against Women Prevention Tax Credit—provides tax credits to businesses implementing workplace safety programs to combat violence against women.

Subtitle D. Battered Women's Employment Protection—ensures eligibility for unemployment compensation to women separated from their jobs due to circumstances directly resulting from domestic violence; requires employers who already provide leave to employees to allow employees to use that leave for the purpose of dealing with domestic violence and its aftermath; allows women to use their family and medical leave or existing leave under State law or a private benefits program to deal with domestic abuse, including going to the doctor for domestic violence injuries, seeking legal remedies, including court appearances, seeking orders of protection or meeting with a lawyer; provides for training of personnel involved in assessing unemployment claims based on domestic violence.

Subtitle E. Education and Training Grants to Promote Responses to Violence Against Women—authorizes grants for developing, testing, presenting and disseminating model programs to provide education and training to individuals who are likely to come in contact with victims of domestic violence and sexual assault in the course of their employment, including campus personnel, justice system professionals (including guardians ad litem, probation, parole and others), mental health professionals, clergy, caseworkers, supervisors, administrators and administrative law judges who are involved in federal and state benefit programs.

Subtitle F. Workers' Compensation—Sense of Congress that worker's compensation benefits should be provided to women that have been injured in the workplace, including full compensation for physical and non-physical injuries, and that women who survive crimes such as rape, domestic violence and sexual assault at work should be able to pursue other legal actions, based on the employers role in the workplace violence.

**TITLE VIII.—Violence Against Women Intervention, Prevention and Educational Research**

Directs the Attorney General and the Secretary of Health and Human Services to establish a multi-agency task force to coordinate research on violence against women; provides grants to support research on causes of violence against women and the effectiveness of education, prevention and intervention programs; provides grants to address gaps in research on violence against women, particularly violence against women in underserved communities and instances where domestic violence is a factor in a divorce/child custody case; mandates a study and report by the U.S. Sentencing Commission on sentences given in crimes of domestic violence; issues grants to conduct research on the experiences of women and girls in the health care, judicial and social services systems who become pregnant as a result of sexual assault; authorizes a study and report on the uniformity of laws among States and their effectiveness in prosecuting rape and sexual assault offenses; directs the Secretary of Health and Human Services and the Attorney General to establish three research centers to develop and coordinate research on violence against women.

**TRIBUTE TO FLORA WALKER**

**HON. SANDER M. LEVIN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 19, 1999*

Mr. LEVIN. Mr. Speaker, I rise to honor Ms. Flora Walker, Past President of Michigan's American Federation of State, County and Municipal Employees (AFSCME) Council 25 on the occasion of her retirement.

Flo Walker has served this organization as President with dedication and devotion for the past six years, and will be honored at a retirement tribute on January 29, 1999. While at the helm she has contributed to building a strong and united statewide Council, and forgoing a renewal of solidarity and unity of purpose.

Under Flo Walker's leadership, numerous programs and initiatives were developed which look toward the 21st century. These include streamlining and updating the Arbitration Department; overhauling the entire Council 25's legal operation; adding more Council servicing staff and new computer equipment, and developing a new Web page.

Flo Walker has led the Council in the purchase of an additional building in Flint, the Organizing Annex, and the former Chamber of Commerce Building in Detroit. The Detroit building includes an auditorium, and a radio/television studio.

And the list goes on with the expansion of Council 25's Education Department, offering seminars and workshops for its members, and instituting an annual charitable golf outing to benefit the Mental Health Association. Ms. Walker has also led efforts to increase voter awareness and participation in the electoral process.

Mr. Speaker, I ask my colleagues to join me in expressing our gratitude to Flora Walker for so much that has been accomplished under her presidency, and to wish her good health and happiness for the future.

**INTRODUCTION OF LEGISLATION TO AMEND THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980**

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 19, 1999*

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to introduce legislation to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). My bill would restrict the liability of local educational agencies in the clean-up of Superfund sites.

Mr. Speaker, this change makes sense given the fact that hundreds of school boards are affected. In New Jersey alone, 57 school districts have been affected by Superfund's liability reach and have been assessed for liability under Superfund. According to the National School Boards Association, over 200 school districts nationwide have been named as defendants in lawsuits related to Superfund cases.

Most often, school boards dispose of ordinary garbage—papers, pencils, or school lunches. These materials are hardly toxic or hazardous, and in all cases, the waste is disposed of legally. In one case in New Jersey, involving the Gloucester Environmental Management Services Landfill (GEMS), 53 school boards were assessed \$15,000 each, not including additional money associated with legal costs. As a result of the tangled Superfund liability web, these precious dollars in a school's budget were diverted away from educating children and into the Superfund coffers.

Mr. Speaker, that is why I am introducing this legislation today, to exempt school boards from Superfund liability. I believe that my bill will help schools use their money the most effective way possible: in the classrooms.

**INTRODUCTION OF THE RONALD V. DELLUMS FEDERAL BUILDING BILL**

**HON. GEORGE MILLER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 19, 1999*

Mr. GEORGE MILLER of California. Mr. Speaker, today I am introducing legislation to name the Federal building in Oakland, CA after our distinguished former colleague Ronald V. Dellums.

Ron came to Congress in 1971 with a plan to change the system and improve the Nation. In many ways he accomplished just that. He saved us from many weapons systems that we did not need, could not afford, and probably could not control. And more than any other Member of Congress, he helped to clearly illustrate how an overfed military budget was literally starving our children, our schools, and our communities. He brought the titans of apartheid to their knees and dragged a reluctant American Government along the way. He fought for the civil rights of all Americans.

Ron Dellums was truly a unique Member of Congress. His passion was his fuel, but his

passion did not blind him. He was clear, incisive, instructional, and inspirational. He was a tireless champion for peace and justice. Ron Dellums will always be remembered as one of Congress' great orators, colorfully and articulately dancing in the well of the House to draw support for his positions.

Naming this Federal building in Oakland for Ron Dellums will serve as an opportunity to rededicate ourselves to the challenges that our colleague championed. If we learn to carry the convictions of a more just society with us to work every day as he did, perhaps we will be able to make America an even better place and the world a bit safer.

I would like to thank my colleague from California, JERRY LEWIS, for his coauthorship of this bill, and the 104 members who are original cosponsors. In addition, I extend my thanks to the members of the House who approved this bill in the 105th Congress. Unfortunately we were not able to secure passage of the bill before the end of the session. But I introduce this legislation again today with confidence that it will reach the President's desk for signature. Ron will finally be recognized with a fitting monument for his 27 years of service to this institution and to our country.

The people who will go in and out of this building with Ron's name on it can take pride in knowing that he cared about them, he fought for them, and he left a mark in Congress and in this country in their names.

HONORING MR. WILLIAM R. SNODGRASS, FOR HIS SERVICE AS THE COMPTROLLER OF THE TREASURY FOR THE STATE OF TENNESSEE

### HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 19, 1999*

Mr. CLEMENT. Mr. Speaker, I rise today in honor of Mr. William R. Snodgrass, and his service to the State of Tennessee, as Comptroller of the Treasury.

Mr. Snodgrass will retire from the State of Tennessee after fifty-two years of faithful service, on January 22, 1999. Forty-four of the fifty-two years he served as the Comptroller of the Treasury, which is an unprecedented feat. He will be greatly missed.

Mr. Snodgrass, a native Tennessean from White County, Tennessee, was elected Comptroller of the Treasury by the Tennessee General Assembly in January 1955, and continually reelected each successive General Assembly through the 100th General Assembly, after which he announced his retirement.

William Snodgrass graduated from David Lipscomb College in 1942, and then left for service in the U.S. Military forces from 1943–1946. Upon returning from his tour of duty, he continued his education, and received a B.S. in Accounting from the University of Tennessee in 1947. He began his career as an appointed research assistant at the University of Tennessee the same year. In 1953, Mr. Snodgrass was appointed director of Budget and director of Local Finance for the State of Tennessee.

William Snodgrass began his service as Comptroller of the Treasury for the state of Tennessee under my father, Governor Frank

G. Clement in 1955. His friendship to my family over the years has been invaluable. As a young man I admired William Snodgrass for his work ethic, his tremendous loyalty to friends and family, and his dedication to the State of Tennessee. Today, I continue to admire him for these same qualities.

Mr. Snodgrass has faithfully served the citizens of the State of Tennessee for the past fifty-two years. His achievements have not gone unnoticed, for William Snodgrass has been recognized by his peers as well, receiving the Outstanding Municipal Performance Award from the Council on Municipal Performance in 1980; the Donald L. Scantlebury Memorial Award for Distinguished Leadership in Financial Management for Joint Financial Improvement Program in 1988, the Distinguished Leadership Award from the Association of Government Accountants in 1988; and the Award for Excellence in Governmental Auditor Training Seminars from Government Finance Officers Association in 1988.

William Snodgrass has served as an outstanding example of faithfulness to his peers, his family, and the citizens of Tennessee. I wish him the best in his retirement.

## INTRODUCTION OF LEGISLATION

### HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 19, 1999*

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to introduce a bill to provide improved administrative procedures for the Federal recognition to certain Indian groups.

Mr. Speaker, I have been working on this issue now for over seven years. In 1994, the House passed similar legislation but that effort died in the Senate. Although this legislation was defeated in the House late last year, we are still faced with an expensive, unfair process through which Indian groups seeking federal recognition must go. I still wish to help address the historical wrongs that the two hundred unrecognized tribes in this nation have faced. This bill streamlines the existing procedures for extending federal recognition to Indian tribes, removes the tremendous bureaucratic maze and subjective standards the Bureau of Indian Affairs has placed against recognizing Indian tribes, but also provides due process, equity and fairness to the whole problem of Indian recognition.

Mr. Speaker, a broad coalition of unrecognized Indian tribes has advocated reform for years for several reasons. First, the BIA's budget limitations over the years have, in fact, created a certain bias against recognizing new Indian tribes. Second, the process has always been too expensive, costing some tribes well over \$500,000, and most of these tribes just do not have this kind of money to spend. I need not remind my colleagues of the fact that Native American Indians today have the worst statistics in the nation when it comes to education, economic activity and social development. Indeed, Mr. Speaker, the recognition process for the First Americans has been an embarrassment to our government and certainly to the people of America. If only the American people can ever feel and realize the pain and suffering that the Native Americans have long endured, there would probably be another American revolution.

Mr. Speaker, the process to provide federal recognition to Native American tribes simply takes too long. The Bureau of Indian Affairs has been completing an average of 1.3 petitions per year. At this rate, it will take over 100 years to resolve questions on all tribes which have expressed an intent to be recognized.

Mr. Speaker, the current process does not provide petitioners with due process—for example, the opportunity to cross examine witnesses and on-the-record hearings. The same experts who conduct research on a petitioner's case are also the "judge and jury" in the process!

In 1996, in the case of *Greene v. Babbitt*, 943 F. Supp. 1278 (W. Dist. Wash.), the federal court found that the current procedures for recognition were "marred by both lengthy delays and a pattern of serious procedural due process violations. The decision to recognize the Samish took over twenty-five years, and the Department has twice disregarded the procedures mandated by the APA, the Constitution, and this Court," (p. 1288). Among other statements contained in Judge Thomas Zilly's opinion were: "The Samish people's quest for federal recognition as an Indian tribe has a protracted and tortuous history . . . made more difficult by excessive delays and governmental misconduct." (p. 1281) And again at pp. 1288–1289, "Under these limited circumstances, where the agency has repeatedly demonstrated a complete lack of regard for the substantive and procedural rights of the petitioning party, and the agency's decision maker has failed to maintain her role as an impartial and disinterested adjudicator . . ." Sadly, the Samish's administrative and legal conflict—much of which was at public expense—could have been avoided were it not for a clerical error of the Bureau of Indian Affairs which 29 years ago, inadvertently left the Samish Tribe's name off the list of recognized tribes in Washington.

With a record like this, it is little wonder that many tribes have lost faith in the Government's recent recognition procedures. President Clinton has acknowledged the problem. In a 1996 letter to the Chinook Tribe of Washington, the President wrote, "I agree that the current federal acknowledgment process must be improved." He said that some progress has been made, "but much more must be done."

To those who say we should retain the current criteria, and not permit tribes which have been rejected under the current administrative procedure to apply for reconsideration, I say read the Greene case. It is rare that a court is so critical of an executive agency, but in this case there clearly is a problem. This bill addresses the problem directly.

Mr. Speaker, the legislation I am introducing today will eliminate the above concerns by establishing an independent three member commission which will work within the Department of the Interior to review petitions for recognition. This legislation will provide tribes with the opportunity for public, trial-type hearings and sets strict time limits for action on pending petitions. In addition, the bill streamlines and makes more objective the federal recognition criteria by aligning them with the legal standards in place prior to 1978, as laid out by the father of Indian Law, Felix S. Cohen in 1942.

Some have expressed concern that this bill will open the door for more tribes to conduct gambling operations on new reservations. While I cannot say that no new gambling operations will result from this bill, I do believe that