

The "Congressional Accountability for Regulatory Information Act of 2000" has a companion bill on the Senate side, S. 1198, the "Congressional Accountability for Regulatory Information Act of 1999." This bill was introduced by Senators SHELBY, BOND, and LOTT on June 9, 1999 and then renamed and reported by the Senate Governmental Affairs Committee as the "Truth in Regulating Act of 1999" on December 7, 1999. The House and Senate bills are both intended to promote effective Congressional oversight of important regulatory decisions.

In addition, the House version includes a provision to ensure that public's understanding of the effect of agency guidance documents (such as guidance, guidelines, manuals, and handbooks). It requires agencies to include a notice on the first page of each agency guidance document to make clear that, if the document has no general applicability or future effect, it is not legally binding. Under the CRA, "rules" subject to Congressional review are broadly defined to include not only regulatory actions subject to statutory notice and comment but also other agency actions that contain statements of general applicability and future effect designed to implement, interpret, or prescribe law or policy. Unfortunately, the Office of Management and Budget (OMB), despite a 1999 Treasury and General Government Appropriations Act directive to do so, has still not issued adequate guidance to the agencies on the requirement to submit to Congress any noncodified guidance document with any general applicability or future effect.

As a consequence, on October 8, 1999, the Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs began an investigation of the agencies' use of noncodified documents, including the specific explanations within each of these documents regarding their legal effect. I asked the General Counsels of the Departments of Labor (DOL) and Transportation (DOT) and the Environmental Protection Agency (EPA) to submit their noncodified documents issued since the March 1996 enactment of the CRA and to indicate which were submitted to Congress under the CRA. DOL and DOT asked that I narrow my request; as a consequence, I asked for only those documents issued by DOL's Occupational Safety and Health Administration (OSHA) and DOT's National Highway Traffic Safety Administration (NHTSA).

Both DOL and DOT admitted that none of their 1,641 and 1,225 guidance documents respectively, had any legal effect and none was submitted to Congress for review under the CRA. Now, nearly four months later, EPA has still not completely produced its guidance documents. The investigation also revealed that the absence of any legal effect was not clear to the public. In fact, only 11 percent of OSHA'S guidance documents included any discussion of legal effect and only 7 percent had this discussion at the beginning of the document. On February 15, 2000, I will be holding a hearing to examine DOL's use of guidance documents as a possible backdoor approach to regulating the public.

Let me conclude by thanking Representative SUE KELLY of New York, Chairwoman of the Small Business Committee's Subcommittee on Regulatory Reform and Paperwork Reduction, for her leadership in this area in 1997 and 1998.

TRIBUTE TO ARCHBISHOP DANIEL E. PILARCZYK

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 27, 2000

Mr. PORTMAN. Mr. Speaker, I am pleased today to rise in tribute to Archbishop Daniel E. Pilarczyk, on the occasion of his 25th anniversary of his ordination as a bishop.

During his forty years in the priesthood, Archbishop Pilarczyk has compiled an impressive and distinguished history of service to the church and the community. After eight years of service as Auxiliary Bishop of Cincinnati, he became Archbishop in 1982. He is the spiritual leader of 550,000 Catholics in more than 200 parishes, and he manages close to 7,500 workers in Ohio. In addition, he has served as president of the National Conference of Catholic Bishops, as well as chairman of the International Commission on English in the Liturgy.

Archbishop Pilarczyk is a strong believer in education and has made it one of his top priorities during his time at the helm of the Archdiocese of Cincinnati, which is the ninth largest Catholic school system in the country. He has served our community in so many other ways including serving on the boards of St. Rita's School for the Deaf, the Pontifical College Josephinum, Catholic University of America and the coalition for a Drug-Free Greater Cincinnati.

He holds a masters degree from Xavier University and a doctorate from the University of Cincinnati, as well as seven honorary degrees. In addition, he has authored 18 books as well as numerous articles.

Daniel Pilarczyk is a Southwest Ohio native and he has given so much back to our community. I've had the chance to work with him in his role as founding board member of the Coalition for a Drug-Free Greater Cincinnati where he made an important contribution as a thoughtful and dedicated board member and a person with a sincere interest in our youth and their future.

All of us in Southwest Ohio wish Archbishop Pilarczyk the very best on the 25th anniversary of his ordination as bishop. We are proud to count him as one of our true religious, spiritual, and community leaders.

INTRODUCTION OF PRIVATE RELIEF BILL

HON. MATTHEW G. MARTINEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 27, 2000

Mr. MARTINEZ. Mr. Speaker, today I introduced a private relief bill for Gui Di Chen which will allow her to adjust status to permanent resident as an immediate relative of a U.S. citizen. Ms. Chen's husband, Robert Lem, died before the immigration and naturalization service could approve his wife's petition to become a permanent resident.

Under our immigration law, the INS cannot adjudicate Gui Di Chen's petition because she was married less than two years to Robert Lem before he passed away. The fact that Ms. Chen lived with Mr. Lem for three years does not matter under the eyes of the law. Without

the enactment of this private relief bill, Ms. Chen faces a dire and uncertain future in China, a country she hasn't been to in nearly ten years.

There is, moreover, ample precedent for such relief. For instance, the 105th Congress passed and the President signed into law at least two private relief bills, H.R. 1794 (Private Law 105-7) and H.R. 1834 (Private Law 105-8), that allowed the widowed alien spouses of Americans to adjust status to permanent resident. In both of these cases, the alien spouses were married less than two years to their U.S. citizen spouses.

Mr. Speaker, Gui Di Chen's case is compounded by a tale of woe and misfortune that rivals a Greek tragedy. In less than eight years, Ms. Chen has lost two husbands who died suddenly and before her immigrant petitions could be processed. In 1990, Ms. Chen and her son joined her husband, Zheng-Ming Wu, in the United States. Mr. Wu was completing a graduate degree at the time. Mr. Wu was fortunate enough to find an employer who filed an employer-based immigrant petition on his behalf. However, on September 6, 1991, just five days before Gui Di Chen, her son and husband were scheduled for an INS immigrant interview, Mr. Wu was killed in a car accident.

According to the police report that was filed, Mr. Wu was driving on the San Bernardino Freeway and developed car trouble. His car was stopped in an H.O.V. lane when he was rear-ended by an 18-year-old who was driving on a suspended license and without insurance. Ms. Chen received no compensation for her husband's death. In addition, the INS told Ms. Chen and her son that their application for permanent resident status was denied due to the death of Mr. Wu.

After the tragic loss of her first husband, Gui Di Chen was fortunate enough to fall in love again. Mr. Lem and Ms. Chen were married on March 31, 1997. Tragedy would strike once again when Mr. Lem died of a heart attack on June 16, 1998. Not only did Ms. Chen lose her husband, she also lost the opportunity to become a permanent resident.

Mr. Speaker, I look forward to working with my colleagues to ensure that Gui Di Chen is not victimized once again by the vagaries of fate and is allowed to finally adjust to permanent resident status. She deserves nothing less.

RECOGNIZING THE 100TH ANNIVERSARY OF THE CHURCH OF THE HOLY CROSS, SPANGLER, PENNSYLVANIA

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 27, 2000

Mr. MURTHA. Mr. Speaker, on December 17, 1999, the Holy Cross Parish celebrated the 100th anniversary of the Church of the Holy Cross, Spangler, Pennsylvania.

Throughout our area and our Nation, we find such churches as the centers of our community, the fabric of our community spirit, and the strength of families. The Church of the Holy Cross has celebrated 2,735 baptisms, 622 weddings. It has held 1,332 funerals to send its faithful home. These events chronicle the history of the families in the region.