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CONGRESSIONAL RECORD — Extensions of Remarks

February 7, 1991

According to the Bureau of Reclamation, if the drought in California continues as forecast, Reclamation water deliveries to for California agricultural use will only be 25 percent of normal, and for municipal use, only 45 percent of normal. The California Department of Water Resources has curtailed all water deliveries for agricultural purposes from the State Water Project [SWP], and municipal water supplies from the SWP may also be reduced.

PERMANENT FEDERAL ACTION NEEDED

When drought conditions occurred throughout the west in 1977 and again in 1987 and 1988, Congress passed temporary emergency drought legislation—the Emergency Drought Act of 1988 (P.L. 95-107), and the Reclamation States Drought Assistance Act of 1988 (P.L. 100-387). The 1988 legislation directed the Bureau of Reclamation [BuRec] to help mitigate the effects of drought conditions through financial aid and resource management, in coordination with State governments. However, that temporary authority expired at the end of 1989. Although \$25 million was authorized to be appropriated, no funds were appropriated. Within available funding at the time, and under the temporary authority, the BuRec did accomplish a number of drought response and planning studies. Although efforts were made to pass new legislation, the Congress failed to pass new temporary drought assistance legislation in the 101st Congress.

Both earlier acts were not adequate to address the emergency nature of drought programs, primarily because of the temporary nature of the authority, time constraints, the time consuming nature of the necessary planning and implementation of federal drought response efforts, and lack of available funding. Permanent authority is needed.

Drought conditions in the west have become progressively more severe as we now enter the fifth year of sustained drought conditions in most of the 17 reclamation states. Most reclamation projects have carryover storage to provide adequate water during a few consecutive years of drought. However, demand from reclamation facilities has grown in the west as population and other water needs increase, and the drought conditions worsen. Water shortages influenced by drought will most likely occur more frequently in the future, requiring both water supply and demand to be managed more effectively and efficiently.

Most of the available water conservation efforts can be pursued by the Bureau of Reclamation under existing authority. However, legislation is needed to broaden existing law to apply to multipurpose water facilities rather than just irrigation facilities. Legislation is also needed to provide the Secretary with the permanent authority to work with State governments to allow the Bureau of Reclamation to participate in short-term drought contingency planning and other drought emergency response measures.

The Reclamation Drought Response Act of 1991 would provide permanent authority for the Secretary of the Interior to:

Declare and terminate reclamation contingency plan activities.

Facilitate water transfers or institute a water market to serve users beyond the existing service area and authorized project functions.

Use reclamation project facilities for temporary storage and to transport water for municipal

and industrial and other uses outside the project service area—extension of the Warren Act Authority.

Provide short-term water from dead or inactive storage or ground water systems.

Allocate emergency funds and request additional funds as needed.

Provide emergency loans for minor structural and nonstructural activities with repayment obligations consistent with existing law and policy.

Establish water banks to exchange, sell, or lease water, consistent with all State water laws.

Provide technical assistance for conservation, contingency planning and research.

Establish a drought emergency fund with secretarial authority to disburse moneys from the fund.

Authorize the Commissioner of Reclamation to provide technical assistance to U.S. territories, State and other non-Federal water authorities east of the 100th meridian for conservation, contingency planning and research, with funding advanced to the Secretary. Also, to conduct a Precipitation Management Technology Transfer Program and field studies on a cost-shared basis with the States.

Make water available on a temporary basis for protecting fish and wildlife resources.

Implement all secretarial authority granted by the act and the implementing rules.

The legislation provides that all these new or extended authorities shall comply with the National Environmental Policy Act [NEPA] and all other applicable environmental laws.

I urge my colleagues, especially those from hard hit drought areas in the west, to join me in sponsoring this legislation.

WORKERS' FAMILY PROTECTION ACT

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1991

Mr. BALLENGER. Mr. Speaker, I am introducing the Workers' Family Protection Act today. The purpose of the bill is to study the problem of worker home contamination. Recent history has shown that chemicals found on work clothes are frequently brought into the family home. This poses a health risk to workers' families, particularly their children. Additional study is needed to determine the extent of the problem and if Federal regulations are needed.

My interest in this issue stems from incidents of home contamination at a hazardous waste incinerator in my district. Caldwell Systems, Inc. [CSI] was closed in 1989 because of charges that it was not operated safely.

Because of their work at the plant, employees unknowingly came in contact with many hazardous chemicals. These employees have experienced a number of problems including illnesses affecting their nerves, brains, and breathing. Another unfortunate result has been that the families of these workers are also affected. A number of children developed breathing and other health-related problems because of chemicals brought home on their parents' clothing.

The CSI workers need protection, but so do their families. My bill is one small step in that

direction. Join me in helping to make families safe. Cosponsor the Workers' Family Protection Act.

Senator JAMES JEFFORDS introduced companion legislation in the Senate earlier this week. A summary of the bill is listed below.

SECTION-BY-SECTION SUMMARY OF THE WORKERS' FAMILY PROTECTION ACT

SECTION 1. SHORT TITLE

This act is entitled the Workers' Family Protection Act of 1991.

SECTION 2. FINDINGS AND PURPOSES

The purpose of the bill is to study the problem of worker home contamination. Recent history has shown that chemicals found on work clothes are frequently brought into the family home. This poses a health risk to the workers' families, particularly their children. Additional study is needed to determine the extent of the problem and if federal regulations are needed.

SECTION 3. STUDY OF EMPLOYEES TRANSPORTED CONTAMINANT RELEASES

Case studies make up the primary emphasis of this section. A total of \$1 million is authorized, allowing up to 10 case studies (\$100,000 each) of recent incidents. The case studies will review recent incidents to determine not only why they happened, but what, if any, long-term effects resulted.

In addition, both the National Institute for Occupational Safety and Health [NIOSH] and the Secretary of Labor are to conduct evaluations of home contamination of workplace chemicals. NIOSH is to: (1) identify industries prone to such contaminations based upon past incidents and enforcement actions; (2) evaluate current measures used to prevent home contamination; and (3) compile a review of relevant industrial hygiene research. The Secretary of Labor is to: (1) evaluate the effectiveness of current regulatory programs designed to prevent home contamination; (2) compile a review of indoor air quality issues as they relate to home contamination; and (3) determine the means families have to rectify contamination of their homes.

NIOSH is to issue a report within two years of enactment summarizing the results of these studies.

SECTION 4. REGULATIONS

Within three years of enactment, the Secretary of Labor must either issue regulations to minimize the risk of future incidents of home contamination or report to Congress that, based on the studies conducted under Section 3, additional regulation is unnecessary. In making this determination, the Secretary of Labor shall specifically look at industries that use lead, mercury, asbestos, pharmaceuticals, and pesticides. Recent incidents of home contamination have been documented or are believed likely with these chemicals.

SECTION 5. AUTHORIZATION OF APPROPRIATIONS

The cost of this legislation is not yet known. It is not the intent of this bill to create a costly program. Maximum expenditures on the order of \$3-5 million over the course of the Act are anticipated.