

while he was campaigning for reelection in 1936. A policeman threw her back into the crowd. "Get the note from the girl," Roosevelt told an aide. Her note read: "I wish you could do something to help us girls. . . . We have been working in a sewing factor, . . . and up to a few months ago we were getting our minimum pay of \$11 a week. . . . Today the 200 of us girls have been cut down to \$4 and \$5 and \$6 a week." When a reporter asked, the President replied, "Something has to be done about the elimination of child labor and long hours and starvation wages."

It was not easy for FDR and his Labor Secretary Frances Perkins to push the Fair Labor Standards Act through Congress in 1937 and 1938, even though all that Act did in the end was apply a 25-cent-an-hour minimum wage and 44-hour week to roughly one-fifth on the workforce.

And it was not even easy for Democrats to raise the minimum wage in the last Congress, even though it had reached its lowest value in 40 years, with the exception of one year during the Bush administration. The Republican majority sought to use the cloture rules to make the minimum wage amendment out of order, but Democrats and moderate Republicans stood together and prevailed.

And despite that victory, America still needs a raise.

Even now that the latest raise in the minimum wage has been fully implemented, and it has reached the level where it requires just over \$10,000 year for a full-time job, its real value remains below its level from 1956 through 1983.

During those post-War years, the incomes of all Americans, rich and poor, grew together. In the 1980s and after, Americans have grown apart. America still needs a raise.

In the 15 years from 1980 through 1995, the minimum wage increased 37 percent. But during that same period, inflation increased 86 percent, company profits increased 145 percent, and CEO pay increased 499 percent. CEO pay increases to 5 times what it was before, and the Titans of industry still complained that a little more than one-third increase in the minimum wage would bankrupt the country! America still needs a raise.

Today I have told you stories of women workers, for theirs has often been a hard lot. Pully three-fifths of all minimum wage workers are women. American women still need a raise.

On July 11, Senator Ted Kennedy introduced S. 1009, a bill that would simply provide increases of 50 cents an hour in the minimum wage in each of the next 3 years and, increases of 30 cents an hour in each of the following 2 years. Congressmen Bonior and Gephardt introduced H.R. 2211 to do the same thing.

Under these bills, the minimum wage would still remain below its levels in the late 1960s.

If this Congress could enact a 5-year budget deal to grant sweeping capital gains and estate tax breaks for the wealthiest among us for years into the future, then the least that it can do is to give those earning the minimum wage a raise for the next 5 years as well. America still needs a raise.

The successors of that imaginary Sinai desert businessman will raise all the same imaginary objections to this labor legislation, as well.

They will argue that we endanger America's competitiveness. But we shall stand with Franklin Delano Roosevelt, who said: "No business which depends for existence on paying less than living wages to its workers has any right to continue in this country. By living wages I mean more than a bare subsistence level—I mean the wages of decent living."

They will say that we seek a centrally planned economy, like the former Soviet Union. But we shall stand with Abraham Lincoln, who said: "To secure to each laborer the whole product of his labor or as nearly as possible, is a worthy object of any good government."

Yet again, the apologists for big business will cry that the minimum wage is just an unfair mandate on business. But we shall stand with Thomas Jefferson, who in his March 4, 1801, Inaugural Address said: "Take not from the mouth of Labor the bread it has earned."

And when big business cries that all must be left to the sacred market, we shall stand with section 17 of the Clayton Anti-Trust Act of 1914, which says: "The labor of a human being is not a commodity or article of commerce."

We shall stand with FDR, with Lincoln, with Jefferson, and with the Clayton Anti-trust Act.

And we shall keep faith with the prayers of those American women who fought so that all working women would receive fair compensation for the sweat of their brow. We owe them nothing less.

We owe it to Harriet Robinson and Sarah Bagley and the girls who sacrificed their youth to the Lowell Mills, to Lucy Parsons, as she rose in tears from the cold jail cell floor to swear an oath to fight on, and to Frances Perkins's memory of her tears falling down like the girls who fell from the Triangle Shirtwaist fire. Let us stand with Clara Lemlich, and pledge to carry on the fight for the cause for which she raised her arm.

And so, with God's help and our own, may the oaths and the prayers of the brave American women who fought before us find an answer in our time.

INTRODUCTION OF LEGISLATION TO PROTECT VOLUNTARY SAFETY AND HEALTH AUDITS

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. BALLENGER. Mr. Speaker, one of the fundamental purposes of the Occupational Safety and Health Act was to encourage "employers and employees in their efforts to reduce the number of occupational safety and health hazards at their places of employment." In its focus on enforcement, OSHA has too often overlooked that purpose. One of the promises of OSHA reinvention, however, was that OSHA would encourage employers to voluntarily implement effective safety and health programs in their workplaces.

Contrary to that promise, OSHA has not addressed, in fact has refused to address, a significant obstacle to effective voluntary safety and health programs which it has created through its enforcement policies. OSHA has insisted on full access to voluntary self audits and assessments conducted by employers, in order to use these records during inspections to (1) help OSHA identify potential violations, and (2) to establish a basis for charging that any violations found in the workplace are "willful." In some cases, OSHA has gone so far as to subpoena these records for use in inspections and enforcement.

OSHA's policy discourages companies from conducting complete and honest self evaluations, even though OSHA acknowledges that

such evaluation is a critical element to an effective safety and health program. The Environmental Protection Agency, facing this same issue in the environmental context has recognized that "routine Agency requests for voluntary audit reports could inhibit auditing in the long run, decreasing both the quality and quantity of audits conducted" [1986 Environmental Auditing Policy Statement, 51 Fed. Reg. 25,007]. For that reason, EPA has limited its access to these records. OSHA should be encouraging companies to conduct such safety and health evaluations. Instead, it is discouraging companies from such efforts by threatening to seize them and use them as a weapon against the employer.

The result of OSHA's policy is less health and safety, not more. As one commentator put it: "the 'costs' of the Department's position, in terms of the decreased use and effectiveness of a critical component of voluntary safety and health programs, dramatically outweigh the 'benefits' of the position in terms of access to a possible source of evidence of a violation or of an employer's willful violation."

The legislation applies only to self audits and assessments that are not required by any law or regulation. Further, it applies only to inspections and enforcement proceedings under the OSHAct. It does not address broader issues that would more logically be addressed as part of a change in the rules of evidence. I invite my colleagues to join me in passing this important legislation.

TRIBUTE TO TERRY YORK

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. SHERMAN. Mr. Speaker, I rise before you today to pay tribute to Terry York, who has been nominated for the prestigious Fernando Award for outstanding voluntarism.

President Kennedy once said, "For of those to whom much is given, much is required. And when a some future date the high court sits in judgment of each of us, recording whether in our brief span of service we fulfilled our responsibilities to the state, our success or failure, in whatever office we hold, will be measured by the answers to four questions: First, were we truly men of courage * * * Second, were we truly men of judgment * * * Third, were we truly men of integrity * * * Finally, were we truly men of dedication." The Fernando Award was created to honor individuals who have exemplified leadership, voluntarism and dedication and it is recognized as the leading award for civic accomplishment in the San Fernando Valley. Each year, the Chambers of Commerce in the San Fernando Valley and other community organizations and leaders nominate candidates they feel demonstrate these characteristics. Terry York is a worthy candidate for this award.

As a young boy in southern Illinois, Terry learned the importance of a strong work ethic from his father, who worked at a local mine. Several year later, Terry decided he wanted to work in the automobile industry, but there were no jobs available. He agreed to work for free as a file clerk, and as a result of his helpful nature and outstanding dedication, he was rapidly promoted at the dealership. Within 5