

COMMERCE SUBCOMMITTEE LEGISLATION WILL UNDERMINE SUPERFUND PROGRAM

□ 1745

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. PALLONE] is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I wanted to spend 5 minutes today talking about what happened in the Commerce Subcommittee today with regard to the Superfund Program. I was very disturbed by the legislation that has been introduced by the Republican leadership yesterday in markup of the bill, and also today in marking up the bill. Myself and many of the other Democrats on the committee tried to make correcting amendments to the legislation because of the negative impact that we feel the legislation will have on the Superfund Program.

I do not have to tell my colleagues that not only in New Jersey but throughout the Nation a major effort has been made over the last few years in trying to clean up hazardous waste sites because of the Federal program we know as Superfund. Now, it is, of course, true that the program has not worked perfectly, and that while many sites have been cleaned up and many others are in the process of being cleaned up that there are still a lot more that need to be cleaned up. But this is not the time for us to backtrack on the Superfund Program. This is the time when we reauthorize this legislation to make it better, not to make it worse, not to undermine the basic underpinnings of the program.

Mr. Speaker, I feel strongly that the legislation that came out of our subcommittee today would significantly undermine the Superfund Program. Let me just give my colleagues some examples.

The legislation says that over the next few years only 125 new Superfund sites can be added to the national priority list. The fact that there would be a cap on the number of Superfund sites unrelated to any scientific analysis is in itself shameful, and during the debate over a proposed amendment to eliminate that cap it was abundantly clear, in my opinion, that the Republican leadership felt strongly that the Superfund Program really should be phased out; that they were trying to cap the program with the hope that over the next few years the program would be phased out and responsibility for the cleanup of hazardous waste sites would go back to the States.

Unfortunately, Mr. Speaker, what they failed to point out is that most States are not in a position to pay to clean up hazardous waste sites, particularly the most severely polluted. My home State of New Jersey is a case in point. We have over 6,000 hazardous waste sites that need to be cleaned up and only about 114 of them, I believe, are on the national priority list under Superfund.

We do not have the money, and there is no way that we can raise the money to clean up all those sites. We need help. We need help from the Federal Government. I would point out that the money that is used on the Federal level to pay for the Superfund cleanup comes from those who generate the pollution, comes from a tax on various companies.

Mr. Speaker, the other thing that is in this legislation that we tried to correct today was the idea of retroactive liability. There is, in the bill, in the Republican leadership bill, a provision that gives discounts, in other words rebates, back to those companies that have cleaned up sites, because they were liable in the past for having polluted the Superfund sites. We had an amendment, which I sponsored, which would have eliminated those rebates which says the polluter has to pay.

The basic tenet of the Superfund Program is that the polluters pay for the cleanup, not the taxpayers. If we are to undermine that concept and say now we are going to pay the polluters in certain circumstances because of liability that occurred in the past, that undermines the whole concept of the Superfund Program that the polluter pays.

Also, this new legislation would no longer provide a preference for permanent treatment of hazardous material at Superfund sites, so that instead of requiring the Environmental Protection Agency to go in and permanently treat the material so that the site is cleaned, instead we would see fences put up, material perhaps carted away, but no effort to necessarily do anything permanently to clean up the site.

Mr. Speaker, I think that is the wrong way to go about the Superfund Program. The idea of the Superfund Program was that there was going to be cleanup that was real and that the sites could be reused again.

There are an incredible number of exemptions for liability and efforts to take out various types of hazardous materials in this legislation that essentially will make for a much weaker Superfund bill.

Mr. Speaker, I would hope that over the next few weeks, as this bill moves through not only the Committee on Commerce but other committees and eventually to the floor, that we could get more and more support for the idea that this reauthorization of Superfund should be done in a way that improves the program rather than gutting it.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. KIM] is recognized for 5 minutes.

[Mr. KIM addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

AN EXPLANATION OF CONGRESS' PREDICAMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. DURBIN] is recognized for 5 minutes.

Mr. DURBIN. Mr. Speaker, those who have followed the congressional debate today may be in a quandary trying to figure out exactly what is going on on Capitol Hill. Let me try to set the record straight, so that there is an understanding about the political dynamic and what it means to every American family.

Mr. Speaker, we are in the process now of trying to come up with a budget for this fiscal year for the Federal Government. The fiscal year actually started October 1. There was a failure of the Republican leadership to pass appropriation bills on time to continue the business of the Federal Government. As a consequence, they have passed what is known as a continuing resolution which just basically keeps the agencies in business on a short-term basis.

There is a second item known as a debt ceiling, which basically gives authority to the Federal Treasury to continue to borrow money so that we can extend the full faith and credit of the United States and not default on our obligations. That debt ceiling limit should have been passed for a long period of time several weeks ago, but we have failed under the Republican leadership to do that either, and so now we are at an impasse.

The President of the United States has said that he will sign a bill which will keep the agencies of Government in business. He will sign a debt ceiling bill so that the United States does not default on its debt. But my Republican colleagues have decided to make this more interesting from a political point of view. They will not send the President a simple bill that meets our obligation. Instead they keep loading up every bill with their political favorites.

Mr. Speaker, there are special interest groups roaming all over the corridors on Capitol Hill, each of which wants another ornament for his Christmas tree, and so they find these bills that come along and they stick on a series of amendments, some of them very serious in tone, others just designed to keep special interest groups very happy.

The Republicans are going to send these bills to the President, and he has already told them that he is going to veto them. This leads to the so-called train wreck, the gridlock, the crisis which Speaker GINGRICH is using as part of his strategy to pressure the President of the United States.

Mr. Speaker, what is sad about this is that none of us, Democrats or Republicans, or Independents for that matter, were sent to Washington to engage in gridlock. We were not sent here to fail, to create problems, to close down Government agencies so people

seeking Social Security checks or veterans checks or small business loans will not have anybody to work with.

We were not sent here to default on the debt of the Nation for the first time in our history. We were sent here to meet our obligations on a bipartisan basis and really go back home and meet with our constituents. Instead, we are spending late night hours and long, tortuous debates because of this political tangle.

Part of it has to do with the Republican plan to balance the budget. Most of us favor balancing the budget, but the Republican approach goes far beyond balancing the budget. What they are calling for is a \$270 billion cut in Medicare, a cut in a program that is totally unnecessary. They are savaging Medicare far more than they have to in order to come up with extra funds. For what purpose? Not to reduce the national debt, but to create tax breaks. You see the Republican theory from time immemorial is a trickle-down theory. They have always believed that if you make the rich rich enough, it will somehow help working families. Most of us know that is not true. Working families know it for sure.

We are also concerned about cuts in education. I am here today standing on the floor of this hall of the U.S. House of Representatives because this Federal Government, over 30 years ago, loaned me the money to go to college. If they had not loaned it to me, I am not sure what I would be today.

My story is repeated millions of times over, and yet the Republicans believe we need to cut over \$10 billion out of college student loans as part of balancing the budget.

Frankly, if we give up on education, if we give up on educating the kids of working families, we are giving up on our future. What we need now is a more responsible, bipartisan, commonsense approach. We have got to stop this massive cut of Medicare to provide a tax break for the wealthy. We have got to stop savaging the education programs that are so important to our children. We have got to stop playing political games with the operations of the Federal Government and with our Nation's national debt.

Unfortunately, the next several days are not going to be very pretty. I wish Members of Congress on both sides of the aisle would adopt my simple proposal: No budget, no pay. If the Members of Congress cannot meet their responsibility to keep the agencies of the Federal Government in operation and not to default on our national obligations and debt, we should not be paid for it. We ought to basically say if we are going to send the Federal employees home without pay, Members of Congress ought do without a pay check.

Mr. Speaker, I have offered it three times and lost three times. I wrote a letter to Speaker GINGRICH and asked him to make it in order. Unfortunately, there must have been a fire in

his mailbox. He has not gotten back to me.

The concerns that the American people have about the future are concerns that we share in Congress. We do not shut down Federal Agencies and then keep drawing congressional paychecks. That suggests to me the kind of arrogance which people do not want in their elected representatives.

Mr. Speaker, I hope those who follow this debate will remember the simple challenge that is ahead of us. We can balance the budget if we get rid of the tax cuts and the onerous cuts in Medicare, we can make sure that we have a bright future if we stick with investments in education, and we can make certain that this Government stays in business doing its business if we stop the political shenanigans and get down to the real business of functioning on a bipartisan, commonsense basis.

IN MEMORY OF DAVID TODD HETLAND, MINNESOTA THIRD DISTRICT FIELD DIRECTOR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota [Mr. RAMSTAD] is recognized for 5 minutes.

Mr. RAMSTAD. Mr. Speaker, this is truly the most difficult speech that I have ever made before this body.

Yesterday, I was a pallbearer at the funeral of my extremely gifted and talented field director, David Hetland. David passed away Saturday at the age of 28 after a courageous struggle with cancer. Dave Hetland was a dear friend, treasured employee, and a committed public servant.

Dave had a vibrant spirit that was there right up to the end as he battled this awful disease. He did not even know he had cancer until 4 short months ago, yet he never got down and he never gave up. Dave will be sorely missed by all of us who knew and loved him.

Dave and Jeanne Broz Hetland, his brave and loving wife, and their wonderful family are in our thoughts and prayers. Jeanne exhibited amazing strength during David's ordeal. Their love for each other was truly a lasting inspiration to each of the 600 mourners who were at the Colonial Church of Edina, MN, yesterday for the funeral.

Pastor Gary Klingsporn, who also officiated at their marriage ceremony just this past August at the same church, said it beautifully in his very moving homily. He talked about the courageous, inspiring way in which Jeanne Hetland lived up to the wedding vows that she had made just 2 months ago. She truly lived the words about being there for Dave in sickness and in health.

In a statement that made each of us in that church nod in unison and wipe our tear-filled eyes, Rev. Klingsporn noted that if the roles had been reversed, that Dave would have been at Jeanne's side, night and day, day and night, just as she was there for him over these last difficult months.

Jeanne was truly the perfect partner for Dave, except when Purdue University played Dave's alma mater, the University of Minnesota. I will never forget when Dave came to me when they first started dating and asked for tickets for that game so they could sit in the middle of the University of Minnesota section. The Gophers lost, but Dave won the heart of one diehard Boilermaker fan. Dave and Jeanne have a wonderful love story that has inspired us all.

Dave has been a key staff member for me since 1991, my first term here. I met Dave through my predecessor and mentor, Congressman Bill Frenzel. Dave served as a college intern for Bill.

Dave came to us energized to pursue the highest standards of public service, and he really represented the absolute best in public service. He had a spirit and motivation that never waned and never left him. That spirit of Dave Hetland will be with me and my staff always, driving us even harder to help people in need and to respond to their problems back in Minnesota.

As my field director in Minnesota, every day Dave Hetland showed up for work performing at the absolute highest level. He was known throughout the district as always being well-prepared and well-versed on the issues before Congress and how they affected the people that we represent.

One of the many accomplishments that Dave will be remembered for is his creation of our "School of the Month" program. We recognize one outstanding elementary school each month in our district, based on Dave's research of a lengthy list of applicants each month.

My school visits with Dave would include a short talk to the students and then a presentation of the award. Dave was an expert at making these presentations interesting to the students and understandable to the young people in our district.

Dave Hetland was a wonderful teacher himself. He taught me and everyone in our office a great deal about life and living. He also taught us about death and dying. He never made any excuses when his pain was too much for any mortal to endure. In fact, I remember the last time I saw Dave at the office he could barely walk to his car, but he was there working for the people of our district, putting them above his own needs.

Dave faced death and dying the same courageous, upbeat way that he lived his life. He was a true profile in courage.

Dave remained optimistic to the end and focused on helping constituents and his other work, which he always performed in a first-rate manner. Dave's favorite part of his job, one of his favorite parts of his job, was Service Academy Coordinator. Just recently, the Air Force Academy Associate Athletic Director, Jim Bauman, visited my office in Washington and said that Dave Hetland was personally responsible for bringing enough Minnesotans to the Academy to field their