

As a country, we have never really waged an all out war on drugs. It is time we declared such a war and I am pleased the Speaker is talking about altering the rules of engagement.

He should start this campaign by pulling the tax free status from organizations which are encouraging young people to take drugs. Organizations like the Drug Policy Foundation, whose sole purpose is to lobby for the legalization of dangerous drugs operates under a tax free status.

In other words, America's parents who are struggling to make ends meet and trying their best to raise their children drug free, are required to pay extra taxes to subsidize the Drug Policy Foundation.

Listen to what the Partnership for a Drug Free America says about teenagers' views on drugs:

Most recent trends among teens indicate a reversal in the attitudes that distinguish non-users from users—perception of risk and social disapproval—and the consequences are an increase in the use of marijuana, LSD, and cocaine.

But even this administration is now opposed to legalizing drugs. In a recent speech entitled "Why the U.S. Will Never Legalize Drugs", our Nation's Drug Czar, Lee Brown called drug legalization the moral equivalent of genocide.

Listen carefully to his words,

When we look at the plight of many of our youth today, especially African American males, I do not think it is an exaggeration to say that legalizing drugs would be the moral equivalent of genocide.

Legalizing addictive, mind altering drugs legal is an invitation to disaster for communities, that are already under siege. Making drugs more readily available would only propel more individuals into a life of crime and violence.

Contrary to what the legalization proponents say, profit is not the only reason for the high rates of violence associated with the drug trade . . . drugs are illegal because they are harmful, to both body and mind.

Those who can least afford further hardship in their lives would be much worse off if drugs were legalized. Without it laws that make the laws that make drug use illegal, we would easily have three times as many Americans using cocaine and crack.

According to the Drug Czar, legalization would create three times as many drug users and addicts in this country. And what does this translate to on the streets? It means hundreds of thousands of additional newborns addicted to drugs.

According to the Partnership for a Drug Free America, 1 out of ever 10 babies in the U.S. is born addicted to drugs. I guess the advocates of legalization must not think this percentage is high enough

I challenge anyone in this chamber to go down the street and tell the nurses at D.C. General, who care for these children, that we need to legalize drugs. You will end up with a black eye! And here is another shocking fact * * * today in America over 11 percent of pregnant women use an illegal drug during pregnancy, including heroin, PCP, marijuana, and most commonly, crack cocaine. A sure fire way to worsen this problem would be to legalize drugs.

According to a recent University of Michigan study of 50,000 high school students, drug

use is up in all grades. Drug use is up among all students for crack, cocaine, heroin, stimulants, LSD, and marijuana.

Increased drug use also contributes to domestic violence. In fact, drug use is a factor in half of all family violence, most of it directed against women. And over 30 percent of all child abuse cases involve a parent using illegal drugs. Legalizing drugs will mean more violence against women and children.

And look at the problem with education in this country. The dropout rate in the United States is over 25 percent, and 50 percent in the major cities. A recent study of 11th graders showed that over half of the drug users dropped out—twice the rate of those drug-free. Drugs rob kids of their motivation and self-esteem, leaving them unable to concentrate and indifferent to learning. Millions of these kids end up on welfare or in prison.

Drug abuse in the workplace, crack babies, welfare, high dropout rates, escalating health care costs, crack babies * * could it get any worse? If we legalized drug it would get much worse.

These problems are all interrelated but the common denominator is drug abuse. Legalizing drugs would be to say that all of this is acceptable * * * it is not acceptable.

My amendments will send a strong and long overdue message to the young people in this country, that under no circumstances is the U.S. Congress ever going to legalize drugs.

PERSONAL COMMENT

HON. HARRY JOHNSTON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 1995

Mr. JOHNSTON of Florida. Mr. Speaker, there is an inequity that Federal survivor and disabled annuitants face as a result of a provision in the Omnibus Budget Reconciliation Act of 1993 mandating a 4-month delay for the cost-of-living adjustment.

I do not believe that there should be a double standard among our Nation's retirees and I am introducing a bill providing an exemption for survivors and disabled retirees of the Civil Service Retirement System and the Federal Employees Retirement System from a COLA delay as is currently mandated by OBRA 1993.

The principle of fairness and equity is one that we must not compromise, especially in this time of budgetary constraints where tough choices must be made.

PERSONAL EXPLANATION

HON. JAMES C. GREENWOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 1995

Mr. GREENWOOD. Mr. Speaker, on rollcall vote No. 570, it was my intention to vote "aye". When I reviewed the RECORD, I noticed I was recorded as not voting. I would like the RECORD to reflect that I was on the floor, and it appears as though my vote was not recorded by the electronic device.

THE FUTURE OF AMERICA'S RESEARCH AND DEVELOPMENT INDUSTRIES

HON. SHERWOOD L. BOEHLERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 1995

Mr. BOEHLERT. Mr. Speaker, I want to bring to my colleagues' attention a report issued July 24 by the Institution for the Future. Titled "The Future of America's Research-Intensive Industries," the report offers important advice on federal science and technology policy. What follows are statements from the news conference issuing the report:

This report is a much needed restatement of some principles that those of us who deal with R&D policy view as axiomatic: that R&D is the key to our nation's economic future; that innovation is more crucial than ever; that the federal government has a clear and irreplaceable role in the R&D enterprise; that R&D partnerships are the wave of the future. This report can be a critically important primer to those who are new to Congress—a blueprint for those who are inclined to support R&D; a caution signal for those who are not.

I think that so far, this Congress has generally built policy along the lines of this blueprint. Basic research has emerged from the appropriations process remarkably unscathed—thanks, in large part, to the efforts of Chairman Walker. That's not to say that university researchers won't feel like these are seven lean years. But in the context of this budget, the appropriations demonstrate a continuing commitment to basic research.

The Congress has also shown a willingness to ensure that federal policy encourages industrial research—a keystone of the American research enterprise. The tax, liability and regulatory systems are being reformed.

My concern continues to be that "regulatory reform" does not become a euphemism for backsliding. We need to ensure that regulations are more flexible, less administratively burdensome and more sensitive to cost. We do not need to repeal the basic regulatory protections that have been so effectively constructed over the past two decades.

This report also endorses what it calls "co-operative funding"—an innocuous-sounding term for an increasingly controversial policy. I count myself among the supporters of this co-operative approach. I hope the companies that have sponsored this report will follow up and do more to convince others of the value of this approach.

In short, this report makes the right points at a critical time. That they are points we have heard before makes them no less valuable.

I'm reminded of an interview years ago with Tommy Tune. The interviewer asked him to talk about the best advice he had ever received about dancing. He said the best advice was when Gene Kelly pulled him aside after a rehearsal and said, "Tommy, dance better." This report basically tells Congress to follow the steps it knows, but to do them better. It's good advice.

THE FUTURE OF AMERICA'S RESEARCH-INTENSIVE INDUSTRIES

(Summary of a presentation by Richard J. Kogan, President and Chief Operating Officer, Schering-Plough Corporation)

Members of the Administration and Congress, distinguished scientists and professors, ladies and gentlemen:

Good morning. As the Institute's researchers have noted, pharmaceuticals and biotechnology are one of this nation's "top eight" R&D-based industries examined for their ability to continue their innovation track record.

Certainly, major challenges lie ahead for our industry. With biopharmaceutical industry R&D costs rising, it's increasingly difficult to repeat our previous innovation achievements that have made America the worldwide technological leader in medicine. Just as we cannot return to yesterday's markets, we cannot replicate our former R&D expenditures. Growth in industry R&D spending today is less than half the level of the early 1980s.

Schering-Plough in the 15-year period 1979-1994 spent almost \$500 million to develop our recombinant alpha interferon, plunging ahead even when it initially appeared the drug would help only a handful of cancer patients. It took nearly 14 years of work before we saw a penny of return on that investment. Today, such an effort might not be made—nor our subsequent discovery that the drug can treat 16 cancer and viral diseases.

For pharmaceutical and biotech firms, the burning issue now is not only whether we can continue bringing products to patients that treat unconquered diseases, but whether we can continue covering the expenditure for leading-edge research. Our industry is currently responsible for more than 90 percent of all new U.S. drug discoveries.

Today's diseases—Alzheimer's, AIDS, heart and kidney disease, prostate cancer and arthritis—are far more complex than those successfully treated in the past. Moreover, many of today's most prevalent diseases—primarily chronic and degenerative conditions—are at the high-cost stage in the innovation cycle. If we cut investment in medical progress today, the consequence may be irrevocable and society may rue that decision for years to come.

The annual medical costs of only seven major uncured diseases account for about half of today's health care bill. However, many of those diseases are within reach of effective pharmaceutical control or cure. As biomedical technology progresses to that point, the total cost of treating these major ailments should drop sharply. If the cycle of innovation is disrupted, we run the risk of being trapped with today's higher-cost, less-effective options.

Today's rapidly changing health care market signals the continuing sense of urgency for optimal patient care and cost containment. By the same token, we must constantly remind ourselves that medical innovation is the most viable, long-term solution for cost-effective quality care—as the findings of the Institute study attest.

In 1995, an urgent task before U.S. policymakers should be to assure that the path of innovation remains open, unobstructed and attractive to investors. And, that statement applies across the board—from our industry that has cured polio, tuberculosis, measles and diphtheria to our fellow industries that have brought the world the laser, fiber optics, lightweight alloys, integrated circuits, the CAT scanner, and that have taken us into outer space.

Thank you.

THE FUTURE OF AMERICA'S RESEARCH-INTENSIVE INDUSTRIES

(Summary of a presentation by Phillip A. Griffiths, Director, Institute for Advanced Study, Princeton, NJ)

Good morning. I don't think I have to remind this audience that scientific research is fundamental to modern culture. It has helped to make our lives safer, longer, easier, and more productive. The more we invest in research and development, the more likely we are to find new non-polluting forms of energy and transportation, to simplify and enrich our lives through new electronics, to develop cures for diseases such as Alzheimer's, coronary heart disease, arthritis, and osteoporosis. Our relative standard of living depends on the health of our research-intensive industries.

Most of you also know that the climate for basic research has become less favorable in recent years. A combination of international competition and the end of the Cold War has made it more difficult for institutions to justify—especially research that is long-term and risky, that offers no certain return on investment.

For example, in industry the effort to restructure corporations and shorten product cycles is reducing the amount of basic research done by traditional corporate laboratories. In universities, too many research scientists are competing for available funds. Government agencies are asked to do more with less, delivering short-term, predictable results, and limiting inquiries not directly relevant to agency missions.

In light of these new realities, how long will long-term R&D be accomplished in the future, and who will do it?

I have said that almost all basic research has been performed in three segments of society: industry, government, and the universities. By and large, each segment has operated independently. There has been some collaboration, but it has not been sustained or comprehensive. In the new era we have entered, more and more individual institutions will find the performance of long-term basic research prohibitively expensive. One way to reduce costs, and to increase the availability of research results for those who need to use them, is through collaboration.

What is the best way to do this? Historically, there have been some earnest experiments to reach across sector boundaries and to make fruits of research more quickly available to the marketplace, but few such experiments have been successful enough to inspire imitation.

Fortunately, several models new to this country are available. One is the Fraunhofer organization of Germany, which has now set up its first American Institute in Michigan. The purpose of Fraunhofer is to promote co-operation between researchers from universities and industry. In Germany, the research costs are shared among the federal government, the universities, and the industries that want the research. Investment areas are determined by the Fraunhofer Board, independent of the government agencies. Typical programs have involved lasers, robots, environmental protection, electronics, materials, optics, and other technologies. The Fraunhofer brings together those who work on the frontiers of science and those who carry the fruits of that work to the marketplace. The driving theory is that research and development are best done in close proximity and that R&D, including R&D performed by the private sector, is best done publicly, so that new ideas are exposed to feedback.

A second interesting model is that of the NEC Research Institute in Princeton, New Jersey. This is a research outpost estab-

lished by NEC, the Japanese computer company, to explore computer and communication technologies. Its purpose is to establish a new kind of parent company, such as high-level parallel programming systems, biological information systems, natural language communication, and computer vision and robotics. NEC scientists have extensive interaction with scientists at universities and at our own Institute for Advanced Study. When there is a fundamental breakthrough in the fields of interest to NEC scientists, the NEC Corporation will be well-positioned to take advantage of it.

All this isn't intended to say that the Fraunhofer or the NEC are the right models for everyone. Diverse solutions must arise to meet particular needs. But I would leave you with two points today. The first, so well documented in the report you have before you, is that it is time to rethink the ways our institutions support the longer-term research and development so vital to our national objectives. The second point is that there are good models for collaboration that can help us in this rethinking. I would like to applaud the Institute for the Future and the companies sponsoring this report for their initiative and foresight in helping us rethink the framework in which we fund and perform the R&D so vital to our nation's future.

Thank you very much.

THE FUTURE OF AMERICA'S RESEARCH-INTENSIVE INDUSTRIES

(Summary of a presentation by Leon Lederman, Director Emeritus, Fermi National Accelerator Laboratory)

Investment in research is America's investment in its future. Our times are characterized by an ever-increasing pace of change, and science-based technology is the driving engine for this change. The Cold War era of military competition superpowers is over, replaced by a competition of industries. There will be winners and losers: economic growth, job creation, standard of living, and international leadership are the spoils.

There is an estimated trillion dollars of economic activity in the list of emerging technologies that many agencies, in many nations, develop. The robustness of the science that we nurture today will determine what fraction of this we will capture over the next decades.

The need for science goes much deeper than this. It goes to the major crises facing society in the next five decades—the crisis of population and its coupling to environmental quality.

World conferences in Rio (1992) and Cairo (1994) point to the connected problems of environment and population. We do not have the fundamental knowledge in a variety of scientific disciplines to sustain a population of ten billion people (2030) without environmental catastrophe. It is the energy-environment problem. These and other global threats to the future of the nation deserve the same attention, the same priority, the same need to defend against as the military threat provided by the Cold War.

The history of basic science is a rich set of stories of curiosity-driven research activities connecting together in surprising ways to produce human advance and profit. A curiosity about the magnetic properties of atomic nuclei; the invention of more powerful particle accelerators designed for quark hunting . . . these connected, and today we have a powerful medical diagnostic, a six billion dollar-a-year industry—magnetic resonance imaging. This pays \$1.5 billion dollars in taxes annually and has saved countless thousands of lives.

Einstein's analysis of the emission of light by atoms and Townes' insight into molecular

coherence lead to the laser with incredible applications from surveying to metal fabrication to eye surgery to CD players—a \$16 billion dollar-a-year industry that contributed four billion dollars annually to treasury receipts.

The need to replace the energy radiated by electrons in the process of building more powerful electron accelerators connected with the need for more intense x-rays to lead to the creation of synchrotron light sources (x-ray light, brighter than a million suns)—devices that serve biologists, pharmaceutical researchers, materials scientists, chemists and physicians to see viruses in action, to design molecules, to watch how chemicals react and hundreds of other applied science programs.

These stories, on and on, have been aggregated to indicate a payback of investment in research of 20 to 50 percent annually. To insure this record, science must be accorded the kind of freedom that, from long experience, is so crucial to its success.

The future of American science depends upon an understanding of what makes America a great nation. "America will be great in those areas in which it desires greatness, perceives greatness and rewards and esteems greatness." Science is the source of continuing the frontiers and of the creation of new wealth. To rescue our declining scientific greatness we must recognize the two columns upon which science rests. One column is the extension of human knowledge for no obviously discernible purpose, perhaps only for the joy of discovery. The other column represents the immediate service to society through research which has economic, medical, environmental consequences. Incidentally, social sciences appear in both columns. Both columns serve society in the longer term and support one another. This is the scientific enterprise.

Science is increasingly being squeezed into the universities and national laboratories. The stress on our scientific infrastructure has been increasing over the past decade. Progress in science is necessarily more difficult and more expensive with time as easier problems are solved. (That is why a GDP scale is necessary). This stress becomes known down to high schools, making it far more difficult to repair the dismal science education of our future scientists, engineers, and citizens. Already, Americans are not following science careers and, if it were not for foreigners, our graduate schools would be half empty.

A noted scholar made my summary easy: "In the conditions of modern life, the rule is absolute; the nation which does not value trained intelligence is doomed . . . Today we maintain ourselves. Tomorrow, science will have moved forward yet one more step; and there will be no appeal from the judgment which will be pronounced . . . on the uneducated."

THE SUPERFUND LIABILITY EQUITY AND ACCELERATION ACT

HON. WILLIAM H. ZELIFF, JR

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 1995

Mr. ZELIFF. Mr. Speaker, I am pleased today to introduce the "Superfund Liability Equity and Acceleration Act." This is significant legislation because it presents a map of what I believe is the best way to make superfund work in the fairest and quickest way possible. My legislation will repeal superfund's unfair, unjust, and un-American retroactive and joint

and several liability system. They will be replaced with a binding proportional liability allocation system that will only hold people responsible for what they contributed to a superfund site. Most importantly, my legislation lays out a mechanism that I am convinced can pay for such a repeal and see these sites come out of the courtroom and get cleaned up now.

Before I continue, Mr. Speaker, let me be absolutely clear: I do not introduced this legislation as a means to compete with any other versions that may be introduced in the future by the authorizing committee chairmen. I introduce this legislation for the purpose of assisting in their effort, as I have been the only Member of this body who has introduced legislation like this in the past. I have significant experience with this issue of liability, and I look forward to working with my colleagues throughout the next couple of months.

I have been involved with the superfund program since I was first elected in 1990. Soon after being elected, I learned that I had 14 national priority list sites in my district—and began walking those sites.

After walking just a few sites, it became clear to me that this program was not working. Small towns were putting off building new schools or hiring new teachers, and small businesses could not find the capital to expand and create jobs.

I then assembled a task force of about 35 members to study these problems, and come up with some suggestions as to how to get the superfund program back on track. We came up with a series of recommendations which I then turned into H.R. 4161, the "Comprehensive Superfund Improvement Act," introduced in the 103d Congress.

While there were many provisions of that legislation to effectively improve the superfund program, the provision which received the most attention was the provision which eliminated both retroactive and joint and several liability under the superfund program. It is my very strong opinion that nearly every problem with the current program can be traced back to the liability standards currently under the law.

If we look briefly at the 15-year history of this program, we will see that superfund was created in 1980 with a trust of \$1.6 billion to clean up what was then assumed to be a few dozen waste sites. Congress increased the financing to \$10.2 billion in 1986, then to \$15.2 billion in 1990. Despite these billions of dollars of taxpayers' money being spent for such a laudable cause, we now see that a mere 18 percent of superfund sites have been cleaned up in that same time period. This raises the obvious question of whether or not we are getting our money's worth. These facts, combined with a GAO report released just yesterday which says that at the most only one-third of all superfund sites pose an actual risk to human health, makes it is obvious to me that we re not getting our money's worth.

There is one group out there, however, that would argue that we are getting our money's worth. It is the armies of lawyers who spend years in court arguing every possible detail of superfund liability. So when we look carefully at why this Congress has spent billions and billions of dollars and seen a minuscule amount of action, there should be no question as to the culprit: it is the current program's un-American and un-just liability system. If you

like the O.J. Simpson train, you would just love a superfund trail.

Just listen to some of the questions that have to be answered in superfund courtroom cases. Who deposited the waste? When was it deposited? What was the actual toxicity of the waste? Does toxicity have any bearing on liability? How much waste did each party deposit? What exactly were the contents of what was deposited? Was a community involved? If so, should they be held accountable? Did they actually produce the waste, or did they merely own the site? Should the community's funding priorities be taken into consideration—i.e. a new teacher or school instead of EPA—mandated study-remediation costs? Who pays the share of the bankrupt parties? How does that share get split, or does it get split at all? How about the insurance companies? Do their policies cover the activities of the insureds? If so, how much? How does the PRP interpret their insurance policies, and how do the insurance companies interpret their policies? Should banks and other lenders be exempt from liability merely for holding title to the land? The list is endless * * *

It should be clear that it is the liability system of superfund which has brought this program to its knees. We can make all the reforms and changes we want to the superfund program, but I assure my colleagues that if we do not make major changes to the liability system, we will all be back here again having the same conversations in just a few more years.

I have advocated the repeal of retroactive and joint and several liability for several years now, and in fact I offered amendments to last year's bill to repeal those liability standards. There was a large amount of support last year for my idea, but this year, we are seeing even more support. It is yet another burst of common sense that took over this Congress last November.

Allow me to share with my colleagues a paragraph from a letter signed recently by Chairmen SHUSTER, BULEY, and OXLEY, the superfund authorizing committee chairmen:

At the heart of the superfund "blame game" is the system of strict, joint and several, and retroactive liability. If we, the authorizing committees, are to reform this program and get superfund out of the courts and onto these sites, then we must comprehensively reform the current superfund liability, including a repeal of retroactive liability.

I could not agree more.

As for my legislation, I will briefly outline what is in the bill. Those of you who remember my legislation from last year, H.R. 4161, will see much that is the same: there are provisions requiring timely release of evidence to PRPs from EPA, contribution protections, certain exemptions for owners of contiguous properties, relief for lenders and fiduciaries, allowances for site redevelopment, and liability limitations for response action contractors. Finally, there are provisions that expressly state that; First, there will be NO reimbursements for parties guilty of illegally dumping, and Second, no party will lose their rights to continue liability actions in existing court actions.

The real guts of the legislation are the pre-1987 retroactive repeal, the new binding allocation system, and the new Hazardous Substance Revolving Fund. I submit descriptions of these below:

SITES WITH ALL PRE-87 WASTE

Construction complete by 1/1/95: No reimbursement for construction. Assumption of