

LEGISLATION TO AMEND THE  
COMPREHENSIVE ENVIRON-  
MENTAL RESPONSE, COMPENSA-  
TION, AND LIABILITY ACT OF  
1980

HON. RODNEY P. FRELINGHUYSEN  
OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, December 18, 1995*

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to introduce legislation to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 [CERCLA]. My bill would remove the authority for contracting oversight from the purview of the Environmental Protection Agency and place it solely under the jurisdiction of the Army Corp of Engineers.

Mr. Speaker, this change makes sense given the expertise of each agency. The Army Corp of Engineers is far better suited to handle contracting work and oversight of construction of the design and remedy at a Superfund site than the more technical, environmental orientation of the EPA.

The reason why I am introducing this legislation today is in direct response to an incident that recently happened in my district during an already lengthy and tumultuous cleanup. Hopefully, passage of this legislation will prevent future situations, such as the one I am about to describe, from happening again in the future.

The asbestos dump site in Millington, NJ, is comprised of two residential farms and part of the Great Swamp National Wildlife Reserve. It contains large amounts of asbestos that was dumped on the property. On one of these two residential sites, the homeowners—a family of five—were involved in a lengthy cleanup with the EPA and had been relocated several times, for months at the time. The EPA had contracted out for the construction of the design and the contractor then hired a subcontractor, with a less than perfect track history, to complete construction of the design.

The EPA subcontractors, instead of bringing in clean fill to top the asbestos on the family's property, brought in contaminated soil from another site. This horrendous mistake has added additional years to cleanup and the family's nightmare.

Mr. Speaker, again, I believe that the Army Corp of Engineers is far better equipped to handle the details of the physical cleanup of these Superfund sites, and to oversee more effectively contracting work. At many sites, such a mistake would add only years and costs to taxpayers for cleanup. In this case, it added not only time and money, but additional grief for a family wanting only to have their home and property cleaned up to a livable standard. I believe that my bill would prevent more situations like these and improve the efficiency of site cleanups.

TRIBUTE TO JIM MILLS'S 40  
YEARS OF SERVICE TO THE MID-  
DLETOWN COMMUNITY

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, December 18, 1995*

Mr. BOEHNER. Mr. Speaker, for 40 years, Jim Mills has served the Middletown area

through his local reporting and editorial writing at the Middletown Journal. Jim began his career at the Journal in 1955 starting off as a reporter covering local government. In 1957, he was appointed Sunday editor and moved to city editor in 1960. From 1972 until 1981 Jim was the managing editor of the paper. Ultimately, in 1981, he headed the newsroom and retained the title managing editor.

Jim and Middletown, OH, have seen many important news stories over the last four decades. Some of the local highlights include the growth and restructuring of Armco to its present organization as AK Steel, creation of the City Centre Mall and redevelopment of the downtown area, state championships for area high schools, and the change Middletown and its business community have undergone.

Jim and the Middletown Journal staff were always conscientious to bring the local angle to national news items ranging from the John F. Kennedy, Martin Luther King, and Robert Kennedy assassinations, the Vietnam War, the Iranian hostage crisis, Desert Storm, and the explosion of the Space Shuttle Challenger.

Jim has received several awards for his dedication and continuous service. Among them are an award from the Associated Press Society of Ohio for exemplary service to news-gathering business and his assistance to the Xenia Daily Gazette publish and report the news when its offices were destroyed in a 1974 tornado. For coverage of the devastation the Gazette won a Pulitzer Prize.

During the past four decades, Jim has worked with hundreds of reporters and local officials. The join me in saluting Jim for his work and wishing him the best in his retirement.

DRUG LEGALIZATION

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, December 18, 1995*

Mr. SOLOMON. Mr. Speaker, I would like to address an issue about a subject which continues to get favorable treatment from our friends in the media. That issue is drug legalization.

Those who support legalization would have us believe that we ought to decriminalize drugs because we have lost the war on drugs. We are not losing this war. The truth is that during the Reagan/Bush years drug use dropped, from 24 million in 1979 to 11 million in 1992. Unfortunately, those hard fought gains have been wasted.

Under President Clinton's watch, this trend has been reversed and drug use is again increasing. The only lasting legacy of the Clinton Presidency will be a dramatic increase in the use of illegal drugs and the consequences of escalating violence and misery associated with it.

As a country, we have never really waged an all out war on drugs. It is now time we declared such a war and I am pleased the Speaker is talking about altering the rules of engagement. We should start this campaign by passing some of the anti-drug legislation which I have introduced.

And although I have been criticized by libertarian organizations for my position, I still do not believe the organizations whose primary

purpose is to promote the use of illegal drugs should operate under a tax free status.

The fathers and mothers in this country who struggle to make ends meet and to raise their children drug free, are paying extra taxes to subsidize the Drug Policy Foundation and their unshaven friends at NORML. These groups are spending millions of dollars in an effort to make dangerous drugs more available to kids. This is wrong.

Drug use is already on the rise. In fact one third of all high school kids are now smoking marijuana. 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."

Fortunately, even this Administration is now opposed to legalizing drugs. In a recent speech entitled "Why the U.S. Will Never Legalize Drugs", former 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 is an invitation to disaster for communities that are already under seige. 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.

According to Lee Brown, legalization would create three times as many drug users and addicts in this country. And what does this translate into for future generations? It means hundreds of thousands of additional newborns addicted to drugs.

According to the Partnership for a Drug Free America, one out of every ten 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% of all child abuse cases involve a parent using illegal drugs. Legalizing drugs will mean more violence against women and children.

Today, one third of the young people attending high school in our country smoke marijuana. It's no wonder our education system is a mess.

The high school dropout rate in the United States is over 25 percent, and 50 percent in 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, violence against women and children, welfare dependency, high dropout rates, escalating health care costs, crack babies \* \* \* could it get any worse?

If we legalized drugs it would get much worse! These problems are all interrelated and all have one thing in common. That common denominator is drug abuse. Legalizing drugs would be to say that all of this is acceptable \* \* \* it is not acceptable.

Legislation I have introduced will send a strong and long overdue message to the young people in this country—Under no circumstances is the United States Congress ever \* \* \* ever going to legalize drugs.

I have also introduced legislation aimed at reducing the demand for illegal drugs. Decreasing the desire for these substances is essential in safeguarding the most important things to all Americans: our children and families, our safety and our health and the economy.

Mr. Speaker, I would also point out that police chiefs across the United States believe that the number one way to reduce crime is to reduce drug use. The fact is that mandatory minimum drug penalties put in place in 1988 was followed by the Nation's largest decrease in drug use.

It is a myth that many non-violent first time drug offenders are overcrowding our prisons. A comprehensive study by the Department of Justice found that 93 percent of state prisoners were either violent or repeat offenders, two thirds are currently in prison for a violent crime.

It is also a myth that drug arrests are overwhelming our prison systems. The fact is that drug arrests have been decreasing since 1989 and only make up 8 percent of all arrests nationwide. Despite lengthy sentences, the average Federal convicted drug possessor serves only 8 months.

The fact is that drug sentencing is still inadequate and that the last thing this Congress should consider is the repeal of mandatory minimum sentencing. Drug use and drug addiction cause most of the violence in this country and contribute to virtually every social, health and economic problem we face. And according to the most recent reports, hospital emergency room visits caused by illegal drugs are up again.

The fact is that the trend toward increased drug use in this country corresponds directly to President Clinton's term of office. For whatever reason, this President is either unable or unwilling to address this crisis. As a result,

millions of young people and their families are suffering.

This President has failed to come to grips with the fact that only one person in this country has the authority—the Office of the President—to reverse the worsening downward spiral of drug abuse.

Mr. Speaker, I am honestly willing to work with President Clinton to address this problem. And I commend Congressman Zeliff for establishing this working group. He has presented the President a golden opportunity to work effectively with Congress in a bipartisan manner. All we are missing now is a serious commitment from the President.

COLUMNIST GEORGE F. WILL, A  
NATIONAL TREASURE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, December 18, 1995

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to bring attention to the work of Pulitzer Prize winning columnist and author, George F. Will. In him, Mr. Speaker I believe we have a national treasure. Time and again by his labors at the keypad Mr. Will has shown himself to be a man of great insight and depth. I believe him to be among that rarest of rare breeds—an original thinker. The concision and clarity with which he transforms those thoughts to the written word evidences a deep commitment on his part to understand and illuminate the human condition. His will to toil year after year so that others might not be lead astray by intellectual fads or fallacious reasoning is a model to all who would seek to shape the course of public life. Anyone willing to give his work a fair reading will find each week some troubling societal question logically explored, element by element and ultimately reduced to its essence without rancor or sentimentality.

I became a fan of George F. Will many years ago when the writer and father in him came together in a gloriously uncompartmentalized way to render an unambiguous rebuke to anyone who might doubt the quality of a life lived at less than physical perfection. With a few deft paragraphs Mr. Will wrote of his own son's enormous capacity to love and be loved. He explained that his "Orion fan", despite whatever limitations Downs Syndrome had placed on him, could experience the joys and tragedies of life in the same way we all do—mostly through things as common as baseball. The boy was fully alive, fully human and perfectly formed in the image of God. It is my belief, Mr. Speaker that no writer in our land of literary greatness could deliver this urgent message with more force and grace than Mr. Will. It is clear that we are truly blessed as a nation to have him.

It is also obvious that despite the passing decades Mr. Will has not lost any of the, above-described commitment to his craft. His most recent Newsweek column is another fine example of all that is good and true about his work. And so Mr. Speaker, I enter that essay into the RECORD so that Mr. Will's own words can testify to the greatness of this decent, courageous and talented American.

FANATICS FOR "CHOICE"

(By George F. Will)

Americans are beginning to recoil against the fanaticism that has helped to produce

this fact: more than a quarter of all American pregnancies are ended by abortions. Abundant media attention has been given to the extremism that has tainted the right-to-life movement. Now events are exposing the extraordinary moral evasions and callousness characteristic of fanaticism, prevalent in the abortion-rights lobby.

Begin with "partial-birth abortions." Pro-abortion extremists object to that name, preferring "intact dilation and evacuation," for the same reason the pro-abortion movement prefers to be called "pro-choice." What is "intact" is a baby. During the debate that led to House passage of a ban on partial-birth abortions, the right-to-life movement was criticized for the sensationalism of its print advertisements featuring a Dayton nurse's description of such an abortion:

"The mother was six months pregnant. The baby's heartbeat was clearly visible on the ultrasound screen. The doctor went in with forceps and grabbed the baby's legs and pulled them down into the birth canal. Then he delivered the baby's body and the arms—everything but the head. The doctor kept the baby's head just inside the uterus. The baby's little fingers were clapping and unclapping and his feet were kicking. Then the doctor stuck the scissors through the back of his head, and the baby's arms jerked out in a flinch, a startle reaction, like a baby does when he thinks that he might fall. The doctor opened up the scissors, stuck a high-powered suction tube into the opening and sucked the baby's brains out."

To object to this as sensationalism is to say that discomforting truths should be suppressed. But increasingly the language of pro-abortion people betrays a flinching from facts. In a woman's story about her chemical abortion, published last year in *Mother Jones* magazine, she quotes her doctor as saying, "By Sunday you won't see on the monitor what we call the heartbeat." "What we call"? In partial-birth abortions the birth is kept (just barely) partial to preserve the legal fiction that a baby (what some pro-abortion people call "fetal material") is not being killed. An abortionist has told *The New York Times* that some mothers find such abortions comforting because after the killing, the small body can be "dressed and held" so the (if pro-abortionists will pardon the expression) mother can "say goodbye." *The New York Times* reports, "Most of the doctors interviewed said they saw no moral difference between dismembering the fetus within the uterus and partially delivering it, intact, before killing it." Yes.

Opponents of a ban on partial-birth abortions say almost all such abortions are medically necessary. However, an abortionist at the Dayton clinic is quoted as saying 80 percent are elective. Opponents of a ban on such abortions assert that the baby is killed before the procedure, by the anesthesia given to the mother. (The baby "undergoes demise," in the mincing words of Kate Michelman of the National Abortion and Reproductive Rights Action League. Does Michelman say herbicides cause the crab grass in her lawn to "undergo demise"? Such Orwellian language is a sure sign of squeamishness.) However, the president of the American Society of Anesthesiologists says this "misinformation" has "absolutely no basis in scientific fact" and might endanger pregnant women's health by deterring them from receiving treatment that is safe.

Opponents of a ban say there are only about 600 such procedures a year. Let us suppose, as not everyone does, the number 600 is accurate concerning the more than 13,000 abortions performed after 21 weeks of gestation. Still, 600 is a lot. Think of two crashes of jumbo airliners. Opponents of the ban darkly warn that it would be the first step