

Superfund Reform Act of 1994 in the 103d Congress.

The Superfund Recycling Equity Act of 1995 is intended to place traditional recyclable, or secondary, materials which are used as feedstocks in the manufacturing process on an equal footing with their virgin, or primary, materials counterparts. Traditional recyclables are made from paper, glass, plastic, metals, textiles, and rubber.

This legislation has become necessary because of an unintended consequence of the Comprehensive Emergency Response, Compensation, and Liability Act [CERCLA] or Superfund. Some courts have interpreted CERCLA to mean that the sale of certain traditional recyclable feedstocks is an arrangement for the treatment or disposal of a hazardous substance and, therefore, fully subject to Superfund liability. While there exists in law and legislative history no suggestion whatever that the Congress intended to impede recycling in America by providing a strong preference for the use of virgin materials through the Superfund liability scheme, that is precisely what has happened.

Mr. Speaker, the American people and their elected leaders have insisted that the recycling rates in our country increase, not decrease. I am offering the Superfund Recycling Equity Act of 1995 to encourage more, not less, recycling. Intuitively, our citizens know that increased recycling means less use of natural resources, which both extends the life of those resources and minimizes any adverse environmental impacts of their exploitation.

The use of recyclables is also of importance to the achievement of the goals of pollution prevention and waste minimization, which have taken on increased importance in the environmental debates of the past few years. For example, the use of recycled steel results in a 90 percent savings in virgin material use, 40 percent reduction in water use, 76 percent reduction in water pollution and a 97 percent reduction in mining waste over the use of virgin ores. Recycling is also more energy efficient than the production of primary metals. As an illustration, using recycled materials in place of virgin materials results in tremendous energy savings: 95 percent for aluminum production, 75 percent for iron and steel, 64 percent for paper, and 80 percent for plastics.

Let me now address what my bill does—and does not—do. The Superfund Recycling Equity Act of 1995 acknowledges that the Congress did not intend to subject to Superfund liability those governmental or private entities who collect and process secondary materials for sale as feedstocks for manufacturing. This bill removes from liability those who collect, process, and sell to manufacturers paper, glass, plastic, metal textiles, and rubber recyclables. This bill also exempts from liability those individuals who collect lead acid, nickel, cadmium, and other batteries for the recycling of the valuable components. However, my CERCLA bill does not address or exempt chemical, solvent, sludge, or slag recycling. It addresses traditional recyclables in a CERCLA context only. I do not intend it to be viewed as a precedent for any other amendment to Superfund or to any other environmental statute, whatsoever.

It should also be clearly understood that this bill addresses the product of recyclers, that is the recyclables they sell which are utilized to make new products. This does not effect liability for contamination that is created at a facility

owned or operated by a recycler. Neither does it affect liability related to any process wastes sent by a recycler for treatment or disposal. In order to assure that only bonafide recycling facilities benefit from this bill, I have established a number of tests by which liability relief will be denied to sham recyclers.

I encourage my colleagues to support and cosponsor this worthwhile piece of legislation that will promote the practice of recycling to preserve our natural resources and the environmental integrity of this country.

#### CONGRATULATIONS TO THE JEWISH FEDERATION OF GREATER BRIDGEPORT AND UNITED JEWISH APPEAL ON SUPER SUNDAY

#### HON. CHRISTOPHER SHAYS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 3, 1995*

Mr. SHAYS. Mr. Speaker, today I am pleased to congratulate the Jewish Federation of Greater Bridgeport, CT, as it proclaims Sunday, February 5, 1995 Super Sunday.

For nearly 55 years, the Jewish Federation of Greater Bridgeport has served and represented Jews in need, through its service to the cities and towns of Bridgeport, Easton, Fairfield, Monroe, Stratford, and Trumbull. It provides health services, social and educational opportunities to citizens through agencies such as the Greater Bridgeport Jewish Community Center, the Jewish Home for the Elderly, Jewish Family Service, Hillel Academy, and Merkaz Community Hebrew High School.

Through the continuing work of the United Jewish Appeal, the Jewish Federation has been able to provide both social and humanitarian services to hundreds of thousands of Jews in Israel and in 40 other countries around the world.

On Sunday, February 5, both organizations will conduct a combined annual telethon campaign to raise vitally needed funds to continue providing these worthwhile services abroad and here at home. The dedication and perseverance demonstrated by each of these organizations is a testament to the commitment they have to the Jewish community.

I commend each organization for the valuable contribution they have made to Jews in this country and around the world.

#### VOLUNTEERISM IS ALIVE IN TENNESSEE—MAURY COUNTY OBSERVES THE 50TH ANNIVERSARY OF WORLD WAR II

#### HON. ED BRYANT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 3, 1995*

Mr. BRYANT of Tennessee. Mr. Speaker, so many Tennesseans volunteered their services to their country during the War of 1812 that the State became known as the Volunteer State, and is so known to this day. Volunteerism is yet alive in the State, not only by those in the military, but by civilians as well.

President George Bush, by Presidential proclamation, designated the years 1991–1995 as time to observe the 50th anniversary

of World War II, judged by historians to be the outstanding event of the 20th century. He asked that every county in the country appoint a World War II Commemorative Committee to encourage the observance.

Long before the proclamation, Maury County, TN, had begun making plans to honor those men and women who had served in that great struggle. Volunteers copied more than 4,000 discharges. Veterans were contacted and urged to share letters, diaries, newspaper clippings, and other memorabilia, and to either write their memoirs or allow themselves to be interviewed.

The response was overwhelming and grew into a two volume history, 832 pages, 8½ by 11, entitled "Maury County Remembers World War II," edited by Virginia W. Alexander, editor, and Margaret D. Ashton, associate editor. Like the character Kilroy, Maury Countians were all over the globe, engaged in every conceivable activity. They were storming the beaches, sailing the high seas, building the Ledo Road, flying with General Chennault. One doctor was captured with the medical unit of the 101st Airborne at the Bulge. Another medical officer was captured on Corregidor.

For those Doubting Thomases who do not believe there was ever a Holocaust, F.J. Haley's letter should dispel that doubt. Although 225 consecutive days in combat with the 808th Tank Destroyer Battalion had hardened him to war, he was not prepared for what he found when they liberated a concentration camp.

The apologists for dropping the A-Bomb should read Lt. Col. Newsom Cooper's account of locating two cyclotrons when he went into Japan with the 8th Army. And artillery officer John Jewell's account of how ill-prepared we were for war should make every American marvel at how we overcame that obstacle to go on to victory.

This is history, not written by professional historians after the fact, but by those who were right in the thick of it.

All of the work on the book was by volunteers, who contributed not only their time, but paid for their own postage, telephone calls, and gasoline. The only cost was for the actual printing, which was borne by the Maury County Historical Society.

On December 7, 1991, the books came off the press and American Legion Post 19 and Auxiliary Unit 19 hosted an autograph party and Show and Tell day, when veterans brought memorabilia to share with many who attended.

Many other activities have honored veterans since that time. Post 19 and Unit 19 have hosted three reunions, one being for those who left here with a National Guard outfit, and became the 181st Field Artillery. Another was for those who were in the Normandy campaign, and another for those who served in the Pacific. Other reunions are planned before the observance ends. Videos were made at the reunions, when each veteran present told about his experiences.

These are but a few of the activities honoring World War II veterans of Maury County, when not a penny of tax payers money was spent.

Members of the World War II Commemorative Committee in addition to Mrs. Alexander and Mrs. Ashton are: Hal Morgan, a Marine World War II veteran; Cam Anderson, 101st

Airborne veteran of World War II; Robert Bradley, Armored Division veteran of World War II, and James Bloss, Korean war veteran and Veterans Service Officer. The late Lon MacFarland, Chief of Staff of the 5th Armored Division, was also a member.

PITTSBURY TO HONOR FRANK  
LOSZYNSKI, RETIRING TOWN  
JUSTICE

### HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 3, 1995*

Mr. SOLOMON. Mr. Speaker, earlier this year, one of the finest public servants I have ever known retired after more than 30 years of service. I'd like to say a few words about him.

Mr. Speaker, I'm not exactly famous for my kind remarks about Democrats, but when they are as outstanding as Frank Loszynski, former town justice of Pittsboro, NY, I have no problems at all. Keep in mind that Republicans outnumber Democrats two to one in Pittsboro, and you will have an idea of the man's effectiveness and popularity.

Actually, Frank Loszynski had a solid reputation for integrity even before his election. His personal and business conduct established him in the eyes of his neighbors as an excellent candidate for a justice seat, and they were right. Over the years he confirmed the confidence of the voters by conducting his office with fairness and understanding, earning the support of Democrats and Republicans alike.

Mr. Speaker, on March 25 there will be a banquet in his honor. I would ask you and all Members to join me today in paying our own tribute to Frank Loszynski, an outstanding judge and a great American.

SPECIAL TRIBUTE TO ALFRED  
AND GENESSA BERTEL

### HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 3, 1995*

Mr. ACKERMAN. Mr. Speaker, I wish to pay special tribute to Alfred and Genessa Bertel of East Hills, NY, an absolutely remarkable and special couple, on the occasion of their 50th wedding anniversary. This auspicious occasion was joyously celebrated this past Sunday at a surprise party at Papagallo's in Glen Head, NY, with over 100 loving close friends and family. The party was, according to one account one of the funnest celebrations ever.

Al and Nessa have both touched the lives of many people indeed. The mark of a successful life is the positive influence on other people, and by that measure, the Bertels are a resounding success. In addition, they have achieved great successes in other areas of their lives. Al founded one of the first supermarket chains in New York City, and to this day runs a very successful wholesale produce business in the Bronx. He served in the U.S. Army during World War II, and fought in the Pacific. His deep and sincere generosity and largeness of spirit have endeared him beyond description to family, friends, business associates, and employees.

Nessa, as past president of the Roslyn Chapter of Hadassah, and as a continuing active member of Hadassah, has long been devoted to the cause of Israel, and other worthy causes. She is, for good reason, a popular and very beloved figure in the community. Her love and devotion is a source of strength not only for her children, Sharon, Aaron, and Mindy, but for many other family and friends.

Al and Nessa, who are in remarkably good physical shape, and have somehow managed to barely change their appearance over the past 50 years, deserve the highest accolades and congratulations over this unique and happy milestone. I ask all my colleagues in the House of Representatives to join me now in congratulating Alfred and Genessa Bertel on their 50th wedding anniversary, in lauding them for their many years of good works to the community and to the Nation, and in wishing them many more years of health and happiness.

DEPOSITORY INSTITUTION  
AFFILIATION ACT OF 1995

### HON. RICHARD H. BAKER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 3, 1995*

Mr. BAKER of Louisiana. Mr. Speaker, the landmark legislation I am introducing this afternoon, the Depository Institution Affiliation Act of 1995, is designed to restore the competitiveness of our Nation's financial services sector and to set the stage for the financial markets in the 21st century. I am particularly pleased to introduce this legislation with Senate Banking Committee Chairman ALFONSE D'AMATO who introduced similar legislation yesterday in the Senate. In the 193d Congress, I had the distinguished honor to work with the Senator on another piece of legislation, the Small Business Loan Securitization Act of 1994, and it is certainly my hope that our efforts this year will be just as successful.

Mr. Speaker, I would like to digress a moment with a bit of history to illustrate the great importance of this legislation. In 1933, an American engineer perfected the FM radio. In 1956, color televisions were selling in the retail market. In 1969, Neil Armstrong took the historic first walk on the Moon. Today, while we are at the edge of the information superhighway, we take for granted home computers, fax machines, and pocket-sized cellular phones. If you were born some 50 years ago, you've seen remarkable advancements in technology and business opportunities that have revolutionized the way we live and the way we work. Unless, of course, you are a banker or a provider of financial services. I invite everyone in the House of Representatives to join me in rewriting the laws governing our Nation's financial services industry by supporting the Depository Institution Affiliation Act of 1995.

A few days ago, I had a conversation with one of our Federal bank regulators which had a lasting impression on me. While detailing the present condition of the banking industry, he suggested that it was in many ways analogous to the state of our Nation's railroad industry a decade ago. In making that comparison, he underscored that our banking industry, and more broadly the financial services industry, is at a crossroads. He suggested that the regu-

latory structure that presently governs our financial services marketplace—like that of our railroad industry a century ago—serves only to hinder competitiveness, to restrict rapidly developing markets, and to limit the availability of financial products and services to American consumers.

Mr. Speaker, the legislation I introduce today is virtually identical to legislation that I have previously cosponsored in the past three Congresses. I introduce this bill today with broad bipartisan support, just as it has enjoyed bipartisan support in years past. I would like to personally thank my colleagues BILL MCCOLLUM, DAVID DREIER, MIKE CASTLE, PETER KING, JOHN LAFALCE, BARNEY FRANK, and FLOYD FLAKE for joining me as original cosponsors of this landmark legislation.

The bill this year differs only slightly to reflect the changes in the banking laws over the past few years. Most notably, for example, some changes were made as a consequence of the Federal Deposit Insurance Corporation Improvement Act of 1991—Public Law 102-242.

With this in mind, Mr. Speaker, the Depository Institution Affiliation Act of 1995 seeks: (1) To promote competition among bank and nonbank providers of financial services; (2) to encourage innovation in the design and delivery of financial services and products to individuals, consumers, large and small businesses, non-profit institutions, and States and municipalities; (3) to ensure that adequate regulation of financial intermediaries in order to protect depositors and investors; (4) to preserve the safety and soundness of the banking system and the overall financial system; and, (5) to protect the Nation's taxpayers by requiring that nonbanking activities are conducted in separately capitalized and functionally regulated affiliates.

It is important for all of us to remember that the antiquated structure of today's financial services industry is much the same as it was 62 years ago, except there are more rules and regulations to prohibit the development of new products and services. The banking rules of 1933 and 1956 are still the law of the land, despite the fact that the rest of the business world has changed dramatically.

In the last half of this century, the banking and financial services industry has undergone enormous change largely due to advances in technology and information processing—changes that were not contemplated when our present structure was conceived. Between 1933, with the Glass-Steagall Act, and 1956, with the Bank Holding Company Act, much of the current Federal legal structure governing providers of financial services was erected. Thus, our present structure is based on a bygone era of market segmentation of generally distinguished financial products, such as deposits, securities, whole life insurance, and other products. This form of market segmentation no longer corresponds to the realities of today's dynamic financial marketplace. In many ways the financial markets are progressing despite Congress. Interstate banking, for example, was practically obsolete by the time Congress got around to it last year. All too often, participants in the financial markets, like commercial banks and investment banks, work together within the confines of current law to improve the availability of products and services to the consumer. We can improve upon