

not supporting these cutbacks, and it reminds me of my favorite musical, the musical "Fiorello," and when he wins, and he was not supposed to win, the bosses are walking around very grumpily, and there is one set of lines in the song where they say, "How did we know the people would go to the polls and elect a fanatic?" And the other one says, "The people can do what they want to, but I got a feeling it ain't democratic."

Mr. Speaker, I think that is a dilemma that our friends have over there. They are afraid that what the people want to do to them "ain't" democratic and, therefore, they are going to restrict the ability of a majority of the American people, acting through their legislators, to decide 5 years from now, 10 years from now, 20 years from now that they would like the Government to play more of a role in this or that area, or that they would like the tax code to be fairer. They would like wealthier people to pay a higher percentage.

If we were to decide, for instance, that the Social Security payroll tax, which is a very regressive tax, unfairly burdens a lot of working people, and we want to alleviate that by changing the mix, we could not do that. If we wanted to say that wealthy people ought to pay more of their income toward the Social Security tax instead of having it cut off, we would need two-thirds, and what we have are people who, I would give them credit for perception, they understand that their very right-wing, ideological agenda is increasingly unpopular with a lot of people, and, therefore, while they still have something of a majority, they are going to try and change the rules so that that majority will not be able to work its will.

Mr. MORAN. Two words might be applicable here, and that is hypocrisy and cynicism. Certainly it is the height of hypocrisy to pass a rule at the beginning of a game, as we did on the very first legislative day of this session of Congress back in January 1995, when we passed a rule saying that three-fifths' vote would be required any time you raise taxes, and then every time that we have had a tax bill, the Committee on Rules has had to waive that exemption. Talk about hypocrisy; to get credit for passing a law, and then every time that it would apply, to waive it.

But then cynicism, and I think the term cynicism applies here because we do not have that ability to waive it if it becomes a constitutional amendment. But the Members on the other side have got to be thoughtful enough to know that this would be unworkable if it became a constitutional amendment. And so what is driving it?

Well, one would have to believe that it is a certain element of cynicism, knowing perhaps that they are not likely to be in office when it applies to subsequent Congresses or believing that better minds will prevail, that the Senate will kill it or that the Amer-

ican people in their State constitutional conventions will kill it, but somebody else will do the responsible thing, allowing them to do the cynical thing to get votes by voting for this constitutional amendment, believing and hoping that it will never become law.

Mr. FRANK of Massachusetts. Mr. Speaker, that is very reassuring because that gives us two chances to kill it: one with better minds; and, two, with the Senate as apparently an alternative line of defense there.

Mr. SKAGGS. Let me suggest that we take the words of James Madison as a benediction to this particular discussion, and just quoting from the last part of Federalist Paper No. 58, Madison on this very point wrote as follows:

"It has been said," this is referring to the debates in the Constitutional Convention about wanting more than a simple majority for certain kinds of legislation, quote, "it has been said that more than a majority ought to have been required in particular cases for a decision." That some advantages might have resulted from such a precaution cannot be denied. It might have been an additional shield to some particular interests and another obstacle, generally, to hasty and partial measures. But these considerations are outweighed by the inconveniences in the opposite scale. In all cases where justice or the general good might require new laws to be passed or active measures to be pushed, the fundamental principle of free government would be reversed. It would no longer be the majority that would rule. The power would be transferred to the minority.

I do not think we should do that.

PROTECTING OUR ENVIRONMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Georgia [Mr. NORWOOD] is recognized for 60 minutes as the designee of the majority leader.

Under the Speaker's announced policy of May 12, 1995, the gentleman from Georgia [Mr. NORWOOD] is recognized for 60 minutes as the designee of the majority leader.

Mr. NORWOOD. Mr. Speaker, the Federal Government has a vital role to play in protecting our environment. If we are to preserve and build on the tremendous gains we have made in the last two decades in cleaning up our land, air, and water, we must have Federal guidelines enforced by an active and revitalized Environmental Protection Agency working in close cooperation with our States and local governments.

Now that I have shattered your opinion of conservative Republican views on the environment, we can get down to nuts and bolts of how we accomplish the goals on which I think we all agree—for we are all environmentalists.

Thirty years ago many of our rivers were horribly polluted, our air quality

in parts of the country was so bad that people with even minor health problems were confined to their homes, and soil and building contamination was to an extent that our children showed elevated levels of lead poisoning in nationwide blood tests. These problems led Republican President Richard Nixon to create the Environmental Protection Agency to clean up the country.

We have done a good job in getting started—but we still have a long way to go, and we can do better. That's what this new Congress should be about.

In the three decades since the creation of our environmental laws, we have seen what began as strong measures to protect our natural resources turn into a tidal wave of regulations and lawsuits that stifle our economy, usurp local and State autonomy, and infringe on the constitutional rights of property owners, while accomplishing very little in the way of real protection or cleanup.

This is generally what happens with every Federal agency or endeavor, given enough time. Because when we create laws and agencies to address a nationwide problem, we at the same time create a new industry comprised of Government bureaucrats; private sector consultants, experts, and contractors; specialized trial attorneys; and consumer activist groups.

All these groups have a powerful vested interest in seeing that the original nationwide problem is not only not solved, but continues to be an ever-growing problem, expanding their industry, careers, and incomes into perpetuity.

With groups like Ralph Nader's Citizen Action, the Energy Research Foundation, Greenpeace, and the like, we have created a cottage industry raising millions of dollars a year, that would be put out of business if we ever really solved our environmental problems.

The trial attorneys that have become emeshed in our cleanup efforts are costing us \$900 million a year—money that could be used on actually cleaning up waste sites, but is instead siphoned away without a single shovelful of waste being touched in return.

The principles behind environmental legislation are good—the problem is how they are enforced and carried out. But to even suggest reform or change in the status quo is to invite the wrath of these special interests, and that is where we find ourselves today in searching for better ways to clean up our environment.

There is probably no better example of this than the ongoing effort to reform the Superfund Clean-Up Program. This program came into existence in 1980 with the noble goal of identifying and cleaning up the worse cases of site pollution and contamination in the country, called National Priorities List Sites, or NPL's. In addition, secondary pollution sites were identified as "brownfield sites" that also badly

needed cleaning up, but were not as critical to overall public health as the NPL sites.

A small amount of the funds to accomplish this mammoth task come from the taxpayer, and most comes from a special tax on industries and products that tend to create pollution. We take in around \$1.5 billion a year from this combination of taxes on oil and chemicals, and the overall corporate environmental tax. In addition, individual companies that played an original role in creating one of these NPL sites pay as large a portion of the total clean-up costs as can be extracted. There are 1,300 NPL sites in the country, and another 450,000 brownfield sites.

How are we doing in achieving this mission? Ninety-one sites have been cleaned up in the 16 years the Superfund has been in existence; 91 out of 1,300.

The average cleanup has taken 12 to 15 years to complete, and cost more than \$30 million a site.

Of those 12 to 15 years spent on each site, 10 years are spent in the courts, in negotiations, and on bureaucratic studies and redtape. It takes only 2 years to actually get the job done.

Of the \$30 million spent on each site, half of the money goes to trial lawyers and Federal bureaucrats. Of the \$25 billion spent since 1980, that's nearly \$12 billion going to trial attorneys, salaries at the EPA, and studies on how to clean up instead of just getting the job done—for that we were only left around \$13 billion.

So while we spend our Superfund money and time on courts, bureaucrats, studies, and lawyers, 10 million children under the age of 12 continue to live within 4 miles of a waste site—breathing the air, and drinking the water. At today's pace, these children will be in their midtwenties before the sites are cleaned.

That's why we introduced the Reform of Superfund Act, or H.R. 2500 this past year to reform the way we clean up these sites. So far, we have held 17 congressional hearings, heard testimony from 159 witnesses on ways to improve and speed up the process, and have conducted over 50 bipartisan meetings on the effort.

In return for these efforts, we are attacked by the special interests whose cash-flow would be cut if we succeed. The Ralph Nader faction under the guise of Citizen Action has mounted an all-out campaign to stop the efforts. Why? One of their main backers is the Trial Lawyers Association, which would stand to lose millions if the Superfund were used to clean up pollution instead of paying lawyers.

There is no better example of this than in my own district. The area surrounding the now-closed Southern Wood Piedmont Plant in Augusta has been under study and court action for years now. Yet the Hyde Park neighborhood most affected by the arsenic contamination remains just as it was

before the efforts began. The children in the neighborhood continue to play on their public school playgrounds next to arsenic-contaminated drainage ditches. But the court costs have run in the millions in the on-going litigation, and EPA experts and consultants have justified their salaried positions at taxpayer expense by the dozens of studies undertaken as the project drags on, year after year. We don't need to talk about it any longer, we need to clean it up.

Our need to revitalize our efforts to protect the environment are certainly not limited to just Superfund. Should Washington bureaucrats be allowed to tell you the same water treatment regulations that apply to Anchorage, AK, should also apply to Augusta, GA? What works most effectively to return clean water to our waterways in one geographic location may not be as effective from an environmental or cost standpoint in another, yet we continue with the Federal concept of one size fits all, to the detriment of our environment.

Do we follow the latest special-interest fad to pass new restrictions on chlorine levels in municipal water supplies based on suspect findings by EPA researchers? This is exactly the direction we are heading, and that is not good science.

We cannot base massive expenditures of Federal money based on a researcher's "best guess" about a possibility of a risk—we have too many real environmental threats that we have put off dealing with for years. And if we do allow environmental scare tactics push us into "bad science" decisions on chlorine reductions, we greatly increase the risk of fecal coliform bacterial infections in both humans and wildlife as a result. That is a known factor, and a guaranteed result.

There are a pair of bald eagles that nest on an island in the Savannah River across from my house. I love those eagles, am very personally protective of them, and feel that our laws need to do the same.

But what about the cotton farmer that has a pair of nesting eagles on his farm? The farmer has lived on his land all his life. He feeds his family by growing cotton. But then the bureaucrats tell him that he can keep his land, but he can't grow cotton because the pesticides to keep away the boll weevil may interfere with the eagles' nesting.

That farmer knows his land. He knows about the nesting eagles. His neighbor that grows cotton was just put out of business because he too had nesting eagles. The farmer kills the eagles so the bureaucrats can't stop him from growing cotton and feeding his family. He buries the eagles, no one ever knows, and we all lose a valuable and irreplaceable natural resource. Shouldn't we have regulations that protect the eagles and the homo sapiens—the man and his family?

We all want environmental policy where Americans will be healthier,

safer, and cleaner. We all want to protect our natural resources and wildlife. But we must start doing it better, with an eye on concrete results.

That means cleaning up every one of the Superfund sites in the country, saving as much money as we can based on good science.

The regulators must be accountable and responsible for their actions. The regulations must be changed to embrace State and local control, and take into effect not just the letter of the law, but the intent.

My friend Sam Booher in Augusta, one of the most knowledgeable and dedicated environmentalists in the country, knows far more about what is needed to protect our natural resources in East Central Georgia than any bureaucrat in Washington, and we need to start letting people like Sam have a larger voice in this fight.

What we attempt to do by cutting funding for the EPA is get the Washington bureaucrats' attention. We want fewer Federal agents that, in the words of Thomas Jefferson, "swarm across our land to eat our sustenance." We want our tax dollars used to cleanup our environment, not pay the 1,000 lawyers that work for the EPA, not pay the bureaucrats to do one redundant study after another. We want our environment cleaned up now.

And what do we get for trying to add common sense to our environmental laws, for trying to use our fewer and fewer Federal dollars more wisely? We are attacked by the President and his liberal allies in Congress for their political gain. We are attacked by the trial lawyers for their monetary gain. We are attacked by the bureaucrats to save their jobs. And we are attacked by Ralph Nader for if we succeed he loses most of his funding.

We need to increase our Federal efforts to preserve and protect our environment, but it must be done more wisely and effectively. Our enemy is not industry, farmers, the EPA, or even regulations themselves—it is the Washington bureaucracy that continues to expand from our efforts to save our natural resources, while our children continue to live with pollution, and real protection takes a back seat to funding special interests.

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Mr. Speaker, I have never run for political office before, and I am a freshman and new to this field. As most people who are willing to come to Washington and serve, each of us have priorities. I was very interested and am interested and will stay interested in us balancing our budget. It is not hard to understand why. I would like for my children and my grandchildren to live the American dream, and move into the 21st century, have a decent job, and be able to keep enough of their own income so they can be responsible for themselves, and so they can live in an America that is better than my America when I grew up. That is our responsibility. I am very interested in that.

I want to make sure my children and grandchildren do not have to go to war. There is only one way to keep that from happening, and that is to have a very, very strong defense. That is our best bet to keep our children out of war.

Following that, it only makes sense, one could only conclude that if you are interested in the 21st century for your children economically, so they can have a good job, have a good standard of living, you could not possibly not be interested in them having clean water. You could not possibly not be interested in them having clean air. What good will it do for them to have a good job and pay only reasonable taxes if they cannot drink their water or breathe their air?

Mr. Speaker, I know that there is a lot that has been said about this Republican Congress in terms of the environment, but I believe that if we can get past those who wish to reach political gain, those who wish to make money out of this argument, we can in this Congress pass environmental laws that will clean up this country and keep it cleaned up, as opposed to continuing to sink millions and millions and millions of dollars into bureaucratic redtape and into the pockets of our trial lawyers.

Mr. Speaker, I appreciate having the opportunity this afternoon to get this off my chest.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. JONES) to revise and extend their remarks and include extraneous material:)

Mr. GUTKNECHT, for 5 minutes, on March 28.

Mr. SHADEGG, for 5 minutes each day, on March 27, 28, and 29.

Mr. BURTON of Indiana, for 5 minutes each day, on March 27, 28, and 29.

Mr. MICA, for 5 minutes each day, on March 27 and 28.

Mr. CANADY of Florida, for 5 minutes, on March 27.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. SKAGGS) and to include extraneous matter:)

Mr. OBEY.

Mr. KILDEE.

Mr. KENNEDY of Massachusetts.

Mrs. MEEK of Florida.

Mr. HALL of Ohio.

Mr. MANTON.

Mr. FAZIO of California.

(The following Members (at the request of Mr. JONES) and to include extraneous matter:)

Mrs. MYRICK.

Mr. MANZULLO.

Mr. COMBEST.

Mr. GILMAN.

Mrs. JOHNSON of Connecticut.

Mr. GALLEGLY.

(The following Members (at the request of Mr. NORWOOD) and to include extraneous matter:)

Ms. WATERS.

Mrs. MINK of Hawaii.

Mr. GALLEGLY.

Ms. SLAUGHTER.

Mr. LIGHTFOOT.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1459. An act to provide for uniform management of livestock grazing on Federal land, and for other purposes; to the Committee on Natural Resources and the Committee on Agriculture.

ADJOURNMENT

Mr. NORWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 43 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 27, 1996, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2293. A letter from the Chairperson, National Council on Disability, transmitting the Council's annual report volume 16, fiscal year 1995, pursuant to 29 U.S.C. 781(a)(8); to the Committee on Economic and Educational Opportunities.

2294. A letter from the Administrator, General Services Administration, transmitting GSA's investigation of the costs of operating privately owned vehicles based on calendar year 1995 data, pursuant to 5 U.S.C. 5707(b)(1); to the Committee on Government Reform and Oversight.

2295. A letter from the Chairman, National Endowment for the Humanities, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1995, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

2296. A letter from the Director, Office of Management and Budget, transmitting a report entitled "Agency Compliance with Title II of the Unfunded Mandates Reform Act of 1995," pursuant to 2 U.S.C. 1538; to the Committee on Government Reform and Oversight.

2297. A letter from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting notice on leasing systems for the Central Gulf of Mexico, sale 157, scheduled to be held in April 1996, pursuant to 43 U.S.C. 1337(a)(8); to the Committee on Resources.

2298. A letter from the Secretary of Transportation, transmitting the Department's evaluation of oil tanker routing, pursuant to Public Law 101-380, section 4111(c) (104 Stat. 516); to the Committee on Transportation and Infrastructure.

2299. A letter from the Administrator, Environmental Protection Agency, transmitting the 1994 national water quality inventory report, pursuant to 33 U.S.C. 1315(b)(2); to the Committee on Transportation and Infrastructure.

2300. A letter from the Assistant Attorney General of the United States, transmitting a report entitled "Child Victimized: Violent Offenders and Their Victims," pursuant to Public Law 103-322, section 320928(h) (108 Stat. 2133); jointly, to the Committees on the Judiciary and Economic and Educational Opportunities.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SHUSTER (for himself, Mr. OBERSTAR, Mr. DUNCAN, Mr. LIPINSKI, Ms. MOLINARI, and Mr. WISE):

H.R. 3159. A bill to amend title 49, United States Code, to authorize appropriations for fiscal years 1997, 1998, and 1999 for the National Transportation Safety Board, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ARCHER (for himself, Mr. BLILEY, Mr. GOODLING, Mr. HYDE, Mr. THOMAS, Mr. BILIRAKIS, Mr. FAWELL, Mr. MCCOLLUM, and Mr. HASTERT):

H.R. 3160. A bill to amend the Internal Revenue Code of 1986 to improve portability and continuity of health insurance coverage in the group and individual markets, to combat waste, fraud, and abuse in health insurance and health care delivery, to promote the use of medical savings accounts, to improve access to long-term care services and coverage, to simplify the administration of health insurance, to reform medical liability, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Commerce, Economic and Educational Opportunities, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRANE (for himself, Mr. GIBBONS, and Mrs. KENNELLY):

H.R. 3161. A bill to authorize the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of Romania; to the Committee on Ways and Means.

By Ms. DELAURO:

H.R. 3162. A bill to facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of a National Infrastructure Development Corporation, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Banking and Financial Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Washington (for himself and Mrs. SMITH of Washington):

H.R. 3163. A bill to provide that Oregon may not tax compensation paid to a resident of Washington for services as a Federal employee at a Federal hydroelectric facility located on the Columbia River; to the Committee on the Judiciary.

By Mr. HASTINGS of Washington:

H.R. 3164. A bill to exempt defense nuclear facilities from the Metric System Conversion Act of 1975; to the Committee on Science.