

Since we take this historic step near the end of the 110th Congress, we intend to move the legislation forward next Congress and work with all parties to address their concerns while maintaining public health protection.

We are taking this action because many of our constituents have suffered and passed away due to asbestosis, mesothelioma, lung cancer and other asbestos-related diseases and yet asbestos remains a legal product for many uses. Many workers in the 29th Congressional District of Texas were tragically lost due to their hard work in the shipping and maritime industries.

Many longshoreman, pipefitters, seafarers, and other maritime workers have been exposed to deadly asbestos risks, so Houston is no stranger to the scourge of asbestos, as uncounted families continue to grieve their loss day after day.

In 2000, a highly-valued Member of this House, Congressman Bruce Vento of Minnesota, was tragically lost to mesothelioma. He had made the protection of public health and the environment one of his priorities in Congress, and he represented his district extremely well.

We have worked very closely on this legislation with his successor, Congresswoman BETTY McCOLLUM, who is equally devoted to the protection of her constituents and the legacy of Congressman Vento. Congresswoman McCOLLUM's expertise, urgency and constructive attitude should be an inspiration to us all on this issue.

I would also like to recognize my good friends and colleagues on the Energy and Commerce Committee, Congresswoman HILDA SOLIS and Congresswoman LOIS CAPPS for their strong support and valuable contribution to this important legislation. Like many Members, they also represent too many families that have been devastated by asbestos-related disease.

For many years, statistics were inaccurate, but recent medical knowledge reveals that nearly 10,000 people continue to die each year as a result of asbestos-related disease. With such a horrible toll, many Americans may believe that asbestos was already banned.

In fact, EPA attempted to ban asbestos in products in 1989, well after the deadly effects were well-known, but their decision was overturned by the Fifth Circuit Court of Appeals in 1991 in the case *Corrosion Proof Fittings v. EPA*. This ruling based on the statutory interpretation of the Toxics Substances Control Act and administrative law kept the market for asbestos-containing products alive, while thousands continued to die.

The Bruce Vento Act does not permit asbestos in products sold in the U.S. in any concentration, except for those products that meet certain narrow, justifiable, and unavoidable exceptions and exemptions.

These exceptions apply when asbestos is present in a product due to deposition from ambient air, or from water that meets the Safe Water Drinking Act standard for asbestos. The limited exemptions from the prohibition banning asbestos-containing products take into account public health considerations and apply in specific situations and for certain products, such as aggregate products, like asphalt or concrete, or certain minerals that can be associated with asbestos.

These exemptions are narrowly tailored to reduce asbestos in products to the maximum

extent possible. While asbestos is a naturally occurring mineral, it does not enter the stream of commerce without being brought there by economic activity.

As a result, we limit exemptions to situations where very low concentrations of asbestos are unavoidable. However, we continue to recognize that U.S. Environmental Protection Agency experts and others testified before our Committee that there is no known safe level of asbestos and it remains highly toxic even in very low concentrations.

Regarding these narrow exemptions, the legislative language is also quite clear that no exemption from an asbestos ban—either statutory or regulatory—should have any bearing on any litigation on one side or the other.

Our legislation explicitly takes care to not create any new federal causes of action or defenses for plaintiffs or defendants. In the United States, the courthouse doors should always be open to people with valid claims, but our goal is to reduce the need for such claims to be filed in the first place by avoiding asbestos-related injuries and deaths.

To prevent asbestos from entering the stream of commerce, our legislation provides for civil and criminal penalties for selling asbestos containing products consistent with other environmental laws. To be liable for criminal penalties, a violation must be knowing or willful.

As the chairman of the Environment and Hazardous Materials Subcommittee, I intend to work with my colleagues and all parties and move this legislation next year.

HONORING DR. HOWARD KOCH,  
OHIO'S 2008 OUTSTANDING OLDER  
WORKER

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 2008*

Mr. JORDAN of Ohio. Madam Speaker, I am pleased to commend Dr. Howard Koch of Lima, OH, to the House of Representatives as Ohio's 2008 Outstanding Older Worker.

Eighty-four years young, Dr. Koch performed general dentistry for 45 years. After selling his practice, he has continued to perform denture work for the past 12 years. About his life's work, Dr. Koch stated, "Work—it's not really work. I like what I do and when you like what you do, it's not work."

Dr. Koch has many accomplishments to his name from his distinguished career. In the 1960s, he co-chaired a committee to have fluoride added to Lima's water supply. He also made the first mouthguards for area football players. He has served as president of the Northwest Ohio Dental Association.

Though Dr. Koch has enjoyed a wonderful career, he did not always intend to be a dentist. He served as a bombardier during World War II and attained the rank of Second Lieutenant. He originally planned to be a teacher after serving in the military but changed his mind and entered the field of dentistry.

Though he keeps busy with his denture practice, Dr. Koch enjoys spending his free time cooking and baking homemade bread. He also enjoys dabbling in photography. He and his wife Patricia have been married for 63 years.

Madam Speaker, I take great pride today in recognizing Ohio's 2008 Outstanding Older Worker, Dr. Howard Koch.

IN MEMORY OF JOHN F.  
SEIBERLING

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 2008*

Mr. UDALL of Colorado. Madam Speaker, like so many of our colleagues I heard with great sorrow of the passing of former Representative John F. Seiberling of Ohio.

While I did not have the opportunity to serve with Mr. Seiberling, I knew of his distinguished career and especially of his being a longtime friend and colleague of my father, both during and after his own service in the House.

My father and John Seiberling not only served at the same time, they worked closely together on many measures that came before what was then the Committee on Interior and Insular Affairs—now known as the Natural Resources Committee.

Examples include the legislation dealing with strip mining, the Surface Mining Control and Reclamation Act, finally signed into law by President Carter after President Ford had vetoed an earlier version, and the Alaska National Interest Lands Conservation Act, ANILCA, also known as the "Alaska Lands Act," which was signed into law on December 2, 1980.

Also, for many years John Seiberling was the voice of historic preservation in the Congress. He authored the legislation that created the Historic Preservation Fund and the 1980 Amendments to the National Historic Preservation Act, and he helped win passage of the first Federal tax credits to preserve historic buildings.

Indeed, both as a private citizen and a public leader, John Seiberling inspired and elevated the stewardship of our Nation's land and its natural and cultural heritage.

At home, he was a leader in saving the historic heritage of Ohio, including his birthplace, Stan Hywet Hall in Akron. And while he was the shepherd of more than 60 park-related bills, he took special pride in writing and achieving the enactment of the Act to protect the Cuyahoga Valley between Akron and Cleveland, Ohio, as a national recreation area, now a national park.

As his hometown paper, the Akron Beacon Journal put it "John F. Seiberling often explained that in preserving land, we preserve something of ourselves. One generation sends an enduring message to its successors about what it holds dear. Who has forgotten the wisdom of Theodore Roosevelt and others advancing the cause of national parks? In that same way, Mr. Seiberling long will be remembered . . . for his vision in seeking to preserve 33,000 acres in Northeast Ohio, a vast urban parkland between Akron and Cleveland, and then having the political skills to turn the dream into reality."

And the same editorial also noted an important point about John Seiberling's character and why he was so effective here in Congress and back home:

Almost anyone who spent time with Mr. Seiberling soon encountered his intelligence

and wit. What his legislative colleagues and others appreciated was his modesty and civility. He listened to opposing views. Perhaps that stemmed from his own story, the scion of the family that founded Goodyear becoming a liberal Democrat. His calm, informed and reasoned approach proved most effective in aiding his causes. It meant that when he got his back up (say, his snapping "Who the hell are you?" at James Goldsmith, the corporate pirate seeking to consume Goodyear), his passion proved all the more persuasive.

President Clinton later awarded John Seiberling the Presidential Citizens Medal, which is awarded in recognition of U.S. citizens who have performed exemplary deeds of service for our Nation.

In making the award, the President rightly explained that "An ardent advocate for the environment, John F. Seiberling has demonstrated a profound commitment to America's natural treasures. Championing numerous bills during his 17 years in Congress, including the Alaska Lands Act, John Seiberling safeguarded millions of acres of parks, forests, wildlife refuges, and wilderness areas." And, in recognition of John Seiberling's work as a member of the Judiciary Committee, President Clinton went on to say that "working in a spirit of bipartisanship, he also promoted civil rights and worker rights, always striving to improve the quality of life in America."

Truer words were never spoken of any Member of Congress—and, once again, the Beacon Journal got it right when its editors wrote "John Seiberling led an admirable life. He might have been content to become the fine attorney and avid amateur photographer that he was. Instead, he jumped into the political fray and in doing so, provided an example of what it means to pursue the highest standards of public life. That is something very much worth remembering and preserving."

John Seiberling's example is one we should all remember and try to emulate.

Here is the complete text of the Beacon Journal editorial, from the paper's August 5th edition:

**THE SEIBERLING LEGACY.**—START WITH THE CUYAHOGA VALLEY NATIONAL PARK, AND THEN CONSIDER THE REMARKABLE POLITICAL SKILLS THAT BROUGHT THE DREAM TO REALITY

John F. Seiberling often explained that in preserving land, we preserve something of ourselves. One generation sends an enduring message to its successors about what it holds dear. Who has forgotten the wisdom of Theodore Roosevelt and others advancing the cause of national parks? In that same way, Mr. Seiberling long will be remembered, following his death over the weekend at age 89, for his vision in seeking to preserve 33,000 acres in Northeast Ohio, a vast urban parkland between Akron and Cleveland, and then having the political skills to turn the dream into reality.

That achievement revealed so much about his public service. In this election season, candidates spend many hours touting their virtues, why their presence at the Statehouse or on Capitol Hill is necessary. Rare is the lawmaker who enhances the quality of community life to the degree of Mr. Seiberling. He was a once-in-a-generation leader.

Look at the Cuyahoga Valley National Park today, three decades after its creation, millions of people each year hiking and riding its pathways, enjoying its meadows, its wetlands and banks of trees, their colors radiant in the fall. Practically all of us boast

about the park to friends and family elsewhere, and when they come to visit, they marvel, too.

The park isn't the Grand Canyon or Yellowstone, obviously. Mr. Seiberling knew the Big Country. One of his proudest accomplishments representing the Akron area in the U.S. House for 16 years was his essential role in preserving 54 million acres of wilderness in Alaska. The Cuyahoga Valley park represented an innovation in the concept. Why not do the same in the industrial heartland of the country?

Almost anyone who spent time with Mr. Seiberling soon encountered his intelligence and wit. What his legislative colleagues and others appreciated was his modesty and civility. He listened to opposing views. Perhaps that stemmed from his own story, the scion of the family that founded Goodyear becoming a liberal Democrat. His calm, informed and reasoned approach proved most effective in aiding his causes. It meant that when he got his back up (say, his snapping "Who the hell are you?" at James Goldsmith, the corporate pirate seeking to consume Goodyear), his passion proved all the more persuasive.

Most telling, Mr. Seiberling knew who he was, and didn't pretend otherwise. Even as he cut a national profile conserving public lands, he understood his leading role involved representing the city and its surroundings. He brought federal backing to the Akron-Canton airport, the Goodyear Technical Center and other projects critical to the community. He didn't duck confrontations. He felt comfortable in his own skin, and at ease in the face of opposition.

John Seiberling led an admirable life. He might have been content to become the fine attorney and avid amateur photographer that he was. Instead, he jumped into the political fray and in doing so, provided an example of what it means to pursue the highest standards of public life. That is something very much worth remembering and preserving.

#### CONGRATULATIONS TO UNION TOWNSHIP ON THEIR 200TH ANNIVERSARY

**HON. DONALD M. PAYNE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 2008*

Mr. PAYNE. Madam Speaker, I ask my colleagues here in the U.S. House of Representatives to join me as I rise to congratulate Union Township, New Jersey, on the celebration of its 200th anniversary.

Union Township plays an integral part in Union County and the 10th Congressional District of New Jersey.

Prior to the establishment of Union Township, that region known as Elizabethtown played a fundamental role in the American Revolution. It was the site of the Battle of Connecticut Farms where the British tried to force their way to Hobart Gap but were denied by the strong and resilient spirit of the Continental Forces. This spirit of determination is a testament to the solid foundation on which Union Township rests.

On the 23d day of November in 1808, the State Legislature of New Jersey designated that Connecticut Farms would be separated from Elizabethtown. This new municipality was to be called Union Township.

Since its inception Union Township has been a cultural hub attracting people from all cultures and backgrounds.

Today, the township is comprised of over 50,000 residents and 27 houses of worship. Every year, Union Township holds several parades where people from different cultures can celebrate their heritage through various parades and festivals. The Township will celebrate the occasion with a parade on October 12, 2008.

Union Township is an intermingling of Colonial American history and contemporary suburban living. In 1976 Union Township achieved the honored designation of being named an All-American City. Just this year, Union Township was chosen by CNN as one of the top 100 places to live in the country.

Union Township again stands out on the national stage because it is home to the world's tallest water sphere. Residents are also proud of their outstanding higher education institution, Kean University, as well as their excellent elementary and secondary school systems.

Madam Speaker, I know my colleagues agree that Union Township and its residents have every right to be proud of the lasting contributions Union Township has made to the State of New Jersey and to the United States of America. I am pleased to congratulate Union Township on its first 200 years and proud to have a significant part of the township in the 10th Congressional District.

#### SUNSET MEMORIAL

**HON. TRENT FRANKS**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 2008*

Mr. FRANKS of Arizona. Madam Speaker, I stand once again before this House with yet another Sunset Memorial.

It is September 16, 2008 in the land of the free and the home of the brave, and before the sun set today in America, almost 4,000 more defenseless unborn children were killed by abortion on demand. That's just today, Madam Speaker. That's more than the number of innocent lives lost on September 11 in this country, only it happens every day.

It has now been exactly 13,021 days since the tragedy called Roe v. Wade was first handed down. Since then, the very foundation of this Nation has been stained by the blood of almost 50 million of its own children. Some of them, Madam Speaker, cried and screamed as they died, but because it was amniotic fluid passing over the vocal cords instead of air, we couldn't hear them.

All of them had at least four things in common. First, they were each just little babies who had done nothing wrong to anyone, and each one of them died a nameless and lonely death. And each one of their mothers, whether she realizes it or not, will never be quite the same. And all the gifts that these children might have brought to humanity are now lost forever. Yet even in the glare of such tragedy, this generation still clings to a blind, invincible ignorance while history repeats itself and our own silent genocide mercilessly annihilates the most helpless of all victims, those yet unborn.

Madam Speaker, perhaps it's time for those of us in this Chamber to remind ourselves of why we are really all here. Thomas Jefferson said, "The care of human life and its happiness and not its destruction is the chief and only object of good government." The phrase in the 14th amendment capsulizes our entire Constitution. It says, "No State shall deprive