



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, TUESDAY, MARCH 3, 2009

No. 37

House of Representatives

The House met at 10:30 a.m.

MORNING-HOUR DEBATE

The SPEAKER. Pursuant to the order of the House of January 6, 2009, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

SUPERFUND REAUTHORIZATION

The SPEAKER. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Madam Speaker, the budget that President Obama submitted to Congress last week calls for the reinstatement of the "polluter pays" principle for the Superfund program.

As someone who has been dealing with a Superfund site in my district for over 20 years, I am pleased that the President has added his important voice to this cause. I have introduced H.R. 564, the Superfund Reinvestment Act, which would implement his recommendations. I urge my colleagues to cosponsor it.

The Superfund program was created in 1980 to provide money to clean up the Nation's worst hazard sites where the party responsible for polluting was out of business or could not be identified. Superfund sites contain toxic contaminants that have been detected in drinking water wells, creeks and rivers, backyards and playgrounds all across America. Indeed, about 1 in 4 Americans lives within 4 miles of a Superfund site.

Communities impacted by these sites can face restrictions on water use and recreational activities as well as economic losses as property values decline due to contaminated land. In the worst cases, residents of the community can face serious health problems such as cardiac impact, infertility, low birth

rates, birth defects, leukemia, and other cancers and respiratory difficulties.

Approximately 30 percent of these sites are considered "orphan" sites where a responsible party cannot be found, cannot pay or refuses to pay. In these cases, the Superfund trust fund is tapped to help pay for the cleanup. That Superfund program has contributed to the cleanup of over 1,000 sites across America.

Before the tax expired in 1995, the money for the Superfund trust fund came mainly from taxes on the polluters, themselves—the oil and chemical companies—that profited from the sale or use of the chemicals being cleaned up. Because Congress in the past has not reauthorized the taxes, the rate of cleanup for Superfund sites has declined, and the burden for funding the cleanup of these toxic waste sites now falls on the shoulders of all tax-paying Americans, not those who were responsible for it.

By 2003, the balance in the Superfund trust fund had dwindled to zero, delaying 29 sites around the country. Today, the Superfund relies heavily on scarce general fund revenues, increasing the burden on American taxpayers at a time when cleanup costs are increasing. The lack of funding also reduces the EPA's leverage in forcing companies to clean up after their own sites. The delay has resulted in greater health risks to people living near Superfund sites. It has resulted in increased damage to local communities as sites remain a drain on the local tax base, and in the long run, it results in higher ultimate cleanup costs.

One of the sites that has experienced delay due to the EPA's lack of funding is the Portland Harbor Superfund site in my district, officially a Superfund site in December of 2000 but a source of concern for years. The sources of contamination include former and current industrial operations and, indeed, the

Federal Government, itself, because of World War II shipbuilding.

While a number of potentially responsible parties, such as the Port of Portland and the Northwest Natural Gas Company, have stepped forward to begin the cleanup process, it is expected that much of the pollution at the Portland Harbor site will be unaccounted for. Normally, this orphan share would be paid by the Superfund. Since there is no money in the fund, the EPA may decide to distribute the liability to those already identified responsible parties, significantly increasing their cleanup costs and serving as a disincentive for people to come forward and help voluntarily. This may be one of the largest and costliest in the program's history, but it is but one example around the country.

Many of the responsible parties are eager to clean up actions on the site, but the EPA has not even issued a record of decision to clean it up. The EPA tells us this record of decision is about 3 to 5 years away, which basically has been the same story for the past 9 years, in part, because we don't have the resources. In the meantime, contamination is negatively impacting navigation and redevelopment activities around the region, not to mention threatening the health and safety of those who live around the river.

Portland Harbor is one of many examples of sites around the country that will benefit from reinstating the Superfund taxes. Until it expired in 1995, the Superfund tax generated about \$1.7 billion a year to clean up these hazardous areas.

I hope that my colleagues will work with me to ensure that the polluters, not the general fund taxpayers, clean up our country's most hazardous waste sites by cosponsoring the Superfund Reinvestment Act, H.R. 564.

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H2887

BIG GOVERNMENT IS BACK

The SPEAKER pro tempore (Ms. BERKLEY). The Chair recognizes the gentleman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Madam Speaker, the era of big government is back. President Obama's proposal last week on the budget raises the deficit to \$1.75 trillion. That is 12.3 percent of GDP. Even while rolling back the 2001 and 2003 tax cuts, the Democrats' budget stills grows the deficit, and we've been told over the years that it was those tax cuts that created the deficit.

The national debt will double to \$20 trillion in just 8 years. Think of that, ladies and gentlemen, \$20 trillion. In the last 8 years, the budget rose only by \$4.9 trillion in comparison. The Obama administration will exceed that within their first 3 years. Beginning in 2012 and every year thereafter, the government will spend more than \$1 billion a day in net interest. Just think what we could do with that kind of money.

I've just been visited by representatives of School Food Service in the Fifth District of North Carolina. They tell me, unless the Federal Government increases its commitment to School Food Service, children in our country are going to go hungry. Think what we could do with \$1 billion a day.

By 2019, the government will spend \$1.7 billion per day on interest. Total spending is going to equal \$3.9 trillion in 2009. That's 27 percent of GDP, a record level and the highest level as a share of GDP since World War II. This spending is going to expand net entitlement spending by \$1 trillion over 10 years, and it includes a \$634 billion down payment on socialized medicine.

Medicaid spending will double in less than a decade, growing from \$201 billion in 2008 to \$403 billion by 2017, and there are no provisions for rooting out waste, fraud and abuse in this program. It's going to increase domestic—non-defense, non-veterans, non-homeland security—discretionary spending by at least 10 percent next year on top of the 8.7 percent increase this year.

Ladies and gentlemen, the American people can not stand this debt and can not stand this kind of spending.

The proposed budget also raises taxes by \$1.4 trillion during a recession. This includes tax increases on American business, small businesses and individuals. Furthermore, all Americans who use energy will be penalized with a new carbon tax. This energy tax negates the so-called "tax cut" for 95 percent of Americans, because 100 percent of Americans who use any form of energy are going to pay this tax.

It reinstates the death tax. This onerous tax punishes families for building up savings to pass on to their heirs, and it imposes an especially heavy burden on small businesses and family farms. It will penalize Americans for contributing to charities by increasing taxes by \$179.8 billion over 10 years.

The budget repeals seven different tax provisions for oil and gas pro-

ducers, including a manufacturing deduction and the expensing of drilling costs, which would effectively raise taxes on the industry by \$60 billion.

The new policy of Cap and Tax, or Cap and Trade, would impose a \$79 billion annual cost to the economy, or \$646 billion over 10 years. This is going to raise energy prices by an average of \$516 per year for each household.

We heard the President talk about responsibility and accountability. By my account, he mentioned "responsibility" seven times last week in his speech to Congress, and he mentioned "accountability" six times. Ladies and gentlemen, it is time that Congress lives up to its responsibility and becomes accountable for its spending and stops passing these spending costs along to future generations.

HEALTH CARE REFORM

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. PALLONE) for 5 minutes.

Mr. PALLONE. Madam Speaker, I wanted to talk about health care reform and start off by mentioning that, in my opinion, in the last month or so since President Barack Obama has taken office, more has been done under his auspices in terms of health care reform than probably has been done in the last 10 years. I specifically would mention the SCHIP—children's health care expansion—and those health initiatives, those health care reform initiatives that are in the economic recovery package. They are significant for many reasons.

First of all, if you look at the SCHIP, or the children's health care initiative, we have on the books or we had before this initiative for about 10 years a program that allowed working parents who did not receive health care on the job through their employers to be able to receive it through the State. These were people who were working but who were not poor enough to qualify for Medicaid. Yet, if they went out and tried to buy private insurance for their children and for themselves, they essentially were not able to because the private market is too expensive.

□ 1045

And so about 12 years ago, Democrats and Republicans, on a bipartisan basis, got together and set up the SCHIP children's health initiative, the Federal Government giving the States money to cover these kids in certain categories, maybe 200 percent of poverty or, in some cases, even as high as 300 percent of poverty. It worked.

About 7 million children who did not have health insurance were covered, and we decided as Democrats—and we tried to get some Republicans and actually did get some Republicans to support us—that we needed to expand it by another 4 or 5 million kids who were eligible for the program but were not receiving the benefits, either because the

States didn't have the money or because they couldn't reach them through their outreach programs.

So one of the first things that was done by this new Congress was to pass an SCHIP expansion bill. Actually, it had a two-thirds majority vote here in the House of Representatives—over 40 Republicans joined with Democrats—and President Obama signed the bill just a few weeks ago.

We know it's going to work. We know it's going to do a lot to expand health insurance for kids who do not have it, and that makes sense because the bottom line is that if people have health insurance, then they go to a doctor more frequently. They get preventive care. They don't have to go in an emergency room. They don't get sicker, which ultimately causes the Federal Government and the State government more money.

Let me talk about the economic recovery package. In the economic recovery package, there are a number of health care reform initiatives. First of all, there's money that goes back to the States, about \$80- to \$90 billion, to help them enroll people on Medicaid. Because of the recession, because more people now do not have a job and, therefore, lose their health insurance, the Medicaid rolls have expanded, but States can't afford to expand the Medicaid rolls and, in many cases, were already starting to limit who would be eligible for Medicaid. But now, the Federal Government is giving the States essentially about \$80- to \$90 billion to help them defray that cost so that anyone who's eligible for Medicaid would be able to receive it.

In addition to that, if you were employed and you lost your job, we have a system now called COBRA, which is an acronym, where if you do lose your job, you can pay the full cost of the health insurance that your employer was providing you and continue to have your existing health insurance that you had on the job for another 18 months. But the problem is you have to pay out of pocket 100 percent, actually 102 percent because of the administrative costs, because your employer is not contributing anymore. So, with the economic recovery package, the Federal Government now will pay 65 percent of the cost of COBRA which makes it a lot more affordable for those who are eligible for COBRA.

But beyond that, there are major reforms in the economic recovery package in health care, in many significant ways, not just the money. For example, there is a major initiative on preventive care. There's a major initiative on wellness, to basically teach people about staying healthy so they don't get sick and cost the system a lot of money. There's also \$20 billion for health information technology, so that hospitals and doctors can upgrade their systems and, rather than using paper, have all their records done electronically. This saves the system money.

What President Obama is trying to do in the economic recovery package is