

## TRIBUTE

### **SENATOR FRANK R. LAUTENBERG: FROM AND FOR NEW JERSEY**

*Stephen M. Greenberg, Esq.\**

Senator Lautenberg (D-NJ) has served his State with distinction for eighteen years. Our Senior Senator is best known for his work in the areas of education, health care, the environment, transportation and economic development. His major legislative accomplishments include accelerating the cleanup of Superfund sites, securing approximately \$1 billion a year for New Jersey's highways and transit facilities, ensuring smoke-free air travel, and protecting victims of domestic violence from guns.

That is the public side of our Senior Senator. It is the private, less known side of this unique individual's life that sets the stage for his public achievements.

Frank Lautenberg is a native "New Jerseyan." He was born in Paterson where his parents struggled to find appropriate work to support their family. The Senator's father, a silk mill worker, died at an early age to cancer. Frank Lautenberg, however, never forgot his father's plight. He founded and continues to nurture a major cancer research center, the Lautenberg Center for General and Tumor Immunology, which has achieved major breakthroughs in conquering cancer.

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A Nutley High School graduate, the Senator served in our armed forces during World War II, and the GI Bill allowed him to attend Columbia University. A return to his roots saw Frank Lautenberg join two fellow "Patersonians," Henry and Joe Taub, to found the payroll services company, Automatic Data Processing, Inc. That company, headquartered in Roseland, New Jersey, today employs approximately 33,000 people.

Enormous business success helped launch an entry into politics. Always someone who wanted to "give back," Frank Lautenberg ran for the United States Senate in 1982. His proven abilities to create jobs and to lead and instill confidence helped him win his very first campaign against the very popular Millicent Fenwick. The voters of New Jersey reelected him in 1988 and again in 1994.

Senator Lautenberg and I have shared many private moments over the past eighteen years that permit me to reflect on his accomplishments. I have always been struck by his sensitivity to those less fortunate than himself. Long before entering public life, he donated a great amount of his time and money to a myriad of causes and became a role model for countless men and women.

I had the privilege of serving as the Chairman of Senator Lautenberg's Judicial Selection Committee. The seriousness of purpose he brought to this endeavor is reflected in the caliber of his appointees and is yet another benefit he conferred on his constituents. Senator Lautenberg understood the importance of character and integrity as essential traits in judicial appointees. He would spend days on end reviewing background material, conducting interviews, and reaching out to judges and lawyers throughout the State. He would then personally make the final decision on these nominations. Senator Lautenberg has left an indelible impression on the United States District Court for the District of New Jersey, one of the nation's finest.

Frank Lautenberg's public service has made all of our lives better. He deserves our heartfelt thanks for being our Senator – from and for New Jersey.

### ***Legislative Accomplishments***

As one of New Jersey's United States Senators for the past eighteen years, Frank Lautenberg served on several prominent

committees. The Senator was the ranking Democratic member on the Budget Committee that in 1997 produced the first balanced budget since 1969.<sup>1</sup> Senator Lautenberg is also a member on the Environment and Public Works Committee, and the ranking Democrat on the Subcommittee on Superfund, Recycling and Solid Waste Management.<sup>2</sup> In addition, the Senator is a member of the powerful Appropriations Committee and the ranking Democrat on the Subcommittee on Transportation.<sup>3</sup> Senator Lautenberg also sits on the Select Committee on Intelligence and is the ranking Democratic Senator on the Helsinki Commission, which is the watchdog panel on international human rights.<sup>4</sup>

During his tenure in the Senate, Frank Lautenberg has built a solid record of major legislative accomplishments on a variety of issues. For example, in the area of gun control, Senator Lautenberg has drafted and supported a significant amount of legislation. In 1996, the Senator authored the Domestic Violence Gun Ban ("DVGB"), which prohibits anyone convicted of a domestic violence misdemeanor from possessing a gun.<sup>5</sup> It is estimated that the DVGB has prevented approximately 14,000 spousal abusers from buying firearms.<sup>6</sup> In the current Congress, Senator Lautenberg introduced the Childproof Handgun Act ("CHA"), which mandates that all handguns must be engineered so that they cannot be fired by an unauthorized user.<sup>7</sup> The CHA demands that gun manufacturers promote consumer safety by helping reduce the 10,000 injuries and deaths caused by the accidental discharge or unauthorized use of a firearm.<sup>8</sup>

Also introduced by Senator Lautenberg in the present Congress, the Gun Show Accountability Act closed the loophole that allowed criminals to buy guns at gun shows.<sup>9</sup> By requiring background

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<sup>1</sup> See *The Lautenberg Record* (visited Mar. 24, 2000) <<http://www.senate.gov/~lautenberg/record.htm>> [hereinafter *The Lautenberg Record*].

<sup>2</sup> See *id.*

<sup>3</sup> See *id.*

<sup>4</sup> See *id.*

<sup>5</sup> See Domestic Violence Gun Ban, 18 U.S.C. § 921 (1999).

<sup>6</sup> See *The Lautenberg Story* (visited Mar. 24, 2000) <<http://www.senate.gov/~lautenberg/bio.htm>> [hereinafter *The Lautenberg Story*].

<sup>7</sup> See generally Childproof Handgun Act, S. 319, 106th Cong. (1999).

<sup>8</sup> See *The Lautenberg Story*, *supra* note 6.

<sup>9</sup> See generally Gun Show Accountability Act, S. 443, 106th Cong. (1999).

checks for all firearm sales at these events, the bill would aid law enforcement with tracing illegal firearms.<sup>10</sup> Additionally, the Senator co-sponsored the Gun Industry Accountability Act, which would increase gun manufacturer liability for firearm misuse.<sup>11</sup> Lastly, Senator Lautenberg introduced the Stop Gun Trafficking Act in February of 1999.<sup>12</sup> The implementation of this bill would reduce state-to-state gun trafficking by prohibiting bulk purchases of handguns.<sup>13</sup>

Among the Senator's most noteworthy legislative achievement is the Balanced Budget Agreement of 1997, which helped produce the first balanced budget since the late 1960's.<sup>14</sup> As Democratic Floor Manager and Chief Democratic Negotiator, Senator Lautenberg endured grueling twelve-hour negotiation sessions, meeting with congressional Republicans, congressional Democrats, and the White House to reach the deal.<sup>15</sup> Highlights of this historic package included:

- 1) Extending the solvency of the Medicare Trust fund by ten years and providing health care coverage for up to five million uninsured children.
- 2) Creating \$401 billion in tax cuts including estate tax relief, capital gains tax cuts, expanded IRAs, and a \$500 tax credit for families with children.
- 3) Increasing the Pell Grant to a maximum of \$3,000 and establishing the student loan interest deduction to allow a deduction for up to \$2,500 per year on education loans.
- 4) Restoring health benefits for disabled legal immigrants.<sup>16</sup>

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<sup>10</sup> See *The Gun Show Accountability Act* (visited Mar. 18, 2000) <<http://www.senate.gov/~lautenberg/gunshow.htm>>.

<sup>11</sup> See generally *Gun Industry Accountability Act*, S. 560, 106th Cong. (1999).

<sup>12</sup> See generally *Stop Gun Trafficking Act*, S. 407, 106th Cong. (1999).

<sup>13</sup> See *id.* § 2.

<sup>14</sup> See *The Lautenberg Record*, *supra* note 1.

<sup>15</sup> See Deborah Kalb, *Lautenberg: N.J. Delegation Eased the Pain of Budget Deal*, GANNETT NEWS SERVICE, Aug. 1, 1997, at A1.

<sup>16</sup> See *The Lautenberg Record*, *supra* note 1.

New Jersey's senior Senator is also deeply committed to protecting the environment for the health and safety of his constituents. As the head Democrat on the Superfund Subcommittee for the past twelve years, Senator Lautenberg worked to improve the Superfund program and fought off numerous legislative attempts to gut the program and slow landfill cleanups.<sup>17</sup> Under the Superfund law, parties responsible for polluting the land and water must pay for 70% of the cleanup effort, saving the taxpayers millions of dollars.<sup>18</sup> As a result of the Senator's efforts, almost three times as many Superfund sites have been cleaned up in the past seven years than in all of the years combined prior to the program.<sup>19</sup> Furthermore, over 82% of the New Jersey toxic waste sites identified under Superfund have completed studies and begun cleanup.<sup>20</sup>

In 1986, Senator Lautenberg authored the Community Right to Know Act ("CRKA"), which gave citizens the right to know the types, amounts, and frequency of toxic emissions that companies released into the air, water, and ground.<sup>21</sup> Since enactment of the CRKA, toxic emissions have been reduced by 31% nationally and over 50% in New Jersey.<sup>22</sup> In related legislation, the Senator also authored the Pollution Prevention Act ("PPA").<sup>23</sup> The PPA further reduced toxic pollution by requiring the Environmental Protection Agency to establish a Pollution Prevention Program.<sup>24</sup> Another major bill co-authored by the Senator was the Oil Spill Pollution Act of 1990 ("OSPA").<sup>25</sup> The OSPA created a federal system to clean up oil spills, hold violators accountable, and compensate those harmed by the pollution.<sup>26</sup> The OSPA also secured funding to establish both a federal oil response team in New Jersey and a modern vessel monitoring system designed to prevent shipping

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<sup>17</sup> See *The Lautenberg Record*, *supra* note 1.

<sup>18</sup> See *The Lautenberg Record*, *supra* note 1.

<sup>19</sup> See *The Lautenberg Record*, *supra* note 1.

<sup>20</sup> See *The Lautenberg Record*, *supra* note 1.

<sup>21</sup> See generally Community Right to Know Act, 42 U.S.C. § 11046 (1999).

<sup>22</sup> See *The Lautenberg Record*, *supra* note 1.

<sup>23</sup> See generally Pollution Prevention Act, 42 U.S.C. §§ 13101-09 (1999).

<sup>24</sup> See *id.*

<sup>25</sup> See generally Oil Spill Pollution Act of 1990, 33 U.S.C. §§ 2701-61 (1999).

<sup>26</sup> See *The Lautenberg Record*, *supra* note 1.

accidents in New Jersey waters.<sup>27</sup>

A co-sponsor of the Safe Drinking Water Act, Senator Lautenberg was instrumental in adding provisions addressing the dangerous radon levels in New Jersey communities.<sup>28</sup> Similarly, the Senator introduced legislation in the current Congress that would require water suppliers to both test drinking water for a greater number of hazardous chemicals and disclose the testing results to the public.<sup>29</sup> In addition, Senator Lautenberg has secured substantial funding to clean New Jersey lakes and expand federal wildlife refuges and parks, adding thousands of acres of open space to the state.<sup>30</sup>

As the ranking Democrat on the Subcommittee on Transportation, Senator Lautenberg co-wrote the Transportation Equity Act for the 21st Century, creating the nation's intercontinental highway and mass transit program.<sup>31</sup> Because of the Senator's efforts, New Jersey receives \$675 million per year to build and repair the state's highways.<sup>32</sup> New Jersey also receives \$253 million a year on average for transit programs.<sup>33</sup>

In his fight to ensure that every young student has the opportunity to attend college, Senator Lautenberg helped to enact the HOPE Scholarship program.<sup>34</sup> This program provides a credit of \$1,500 per year for students in their first two years of college.<sup>35</sup> The Senator also sponsored the Public School Modernization Act which creates a total of \$25 billion in interest-free bond authority for school districts to finance the building and renovation of public schools.<sup>36</sup> This financing will allow local school districts to free up more funds for teachers and classroom resources.

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<sup>27</sup> See *id.*

<sup>28</sup> See *id.*

<sup>29</sup> See generally Drinking Water Right-to-Know Act of 1999, S.1149, 106th Cong. (1999).

<sup>30</sup> See *The Lautenberg Record*, *supra* note 1.

<sup>31</sup> See generally Transportation Equity Act for the 21st Century, 23 U.S.C. §§ 101-164 (1998).

<sup>32</sup> See *The Lautenberg Story*, *supra* note 6.

<sup>33</sup> See *id.*

<sup>34</sup> See 26 U.S.C. § 25A (1999).

<sup>35</sup> See *id.*

<sup>36</sup> See generally Public School Modernization Act, S. 223, 106th Cong. (1999).

Finally, Frank Lautenberg has been extremely active in drafting and supporting health and safety legislation with regard to airplane travel and tobacco-related issues. The Airliner Cabin Air Quality Act of 1996 prohibited smoking on any scheduled airline flight in intrastate, interstate, or foreign air transportation.<sup>37</sup> The Senator introduced this legislation to amend his 1987 law that made it unlawful to smoke in the passenger cabin or lavatory on any scheduled airline flight scheduled for less than two hours in duration.<sup>38</sup> As another issue, the Safe Air Travel for Animals Act ("SATA") requires airlines to retrofit their cargo holds for fire prevention devices designed to protect animals, such as ventilation and thermal controls.<sup>39</sup> The SATA requires the United States Department of Agriculture to increase the amount of civil penalties and damages owners may collect from airlines if their pets are killed, injured, or lost.<sup>40</sup>

Most recently, Senator Lautenberg co-sponsored the Smoker's Right to Know and Truth in Tobacco Labeling Act.<sup>41</sup> Under the first part of this bill, each cigarette manufacturer will be required to disclose cigarette ingredients and constituents to the Secretary of Health and Human Services ("HHS").<sup>42</sup> The manufacturers must disclose the levels of tar, nicotine, and carbon monoxide to HHS, who will then issue regulations incorporating such information into a cigarette package insert.<sup>43</sup> The second part of this bill creates a new series of bigger, bolder health warnings labels on cigarette packages.<sup>44</sup> The cigarette warnings will occupy 33% of the front and rear panels of the package, displaying several messages such as "smoking can kill you," "cigarettes are addictive," and "cigarettes cause cancer."<sup>45</sup> In addition, the cigarette packages will disclose key carcinogens, including inorganic carcinogenic compounds, organic

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<sup>37</sup> See generally Air Cabin Air Quality Act of 1996, S. 1524, 104th Cong. (1996).

<sup>38</sup> See 42 U.S.C. § 41706 (1999).

<sup>39</sup> See generally Safe Air Travel for Animals Act, S. 1193, 106th Cong. (1999).

<sup>40</sup> See *id.*

<sup>41</sup> See generally Smoker's Right to Know and Truth in Tobacco Labeling Act, S. 2125, 106th Cong. (2000).

<sup>42</sup> See *id.*

<sup>43</sup> See *id.*

<sup>44</sup> See *id.*

<sup>45</sup> See *id.*

carcinogenic compounds, aldehydes, and nitrosamines.<sup>46</sup>

New Jersey's Senior Senator will be remembered as a pragmatic and effective legislator who fought for the interests of his constituents. As his record indicates, Senator Lautenberg has been involved with legislation covering diverse areas that affect not only the people of New Jersey, but also the collective American public. Over the past eighteen years, the State of New Jersey has been truly fortunate to have a public servant as dedicated as Senator Frank Lautenberg.

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<sup>46</sup> See generally Smoker's Right to Know and Truth in Tobacco Labeling Act, S. 2125, 106th Cong. (2000).