LEGISLATION TO REAUTHORIZE THE SAFE DRINKING WATER ACT

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. POMEROY. Mr. Speaker, I rise today to discuss a bill I introduced to reform the Safe Drinking Water Act [SDWA]. This bill, which is identical to legislation passed unanimously by the Senate, would cut burdensome regulations, eliminate unnecessary testing requirements, and assist communities in making sure their drinking water is clean and safe.

Since I was elected to Congress, I have been working to pass legislation to reauthorize and reform the Safe Drinking Water Act. During the 103d Congress, I joined Congressman Slattery and others in introducing H.R. 3392 which passed the House and was the main bill around which negotiations centered. Unfortunately, Congress adjourned before final action could be completed. I am hopeful that with the overwhelming support this bill received in the Senate, swift action will be taken in the House in the near future.

Over the past 3 years, I have visited several small water systems in North Dakota. Through my visits and conversations with system operators, I have become very familiar with the workings of this law. Many small and rural water systems simply cannot comply with these mandates—they don't have the technology and they don't have the resources. This law has driven many North Dakota communities to the edge of bankruptcy, while others have had to ignore the law in order to survive financially.

I firmly believe the rules of SDWA should fit the communities it is designed to serve. The original law was based on large water systems and subscribes to a one-size-fits-all approach to the problem. I believe a more prudent approach is to take the actual threat to public health into consideration and allow communities to target scarce resources to those needs.

This bill does just that. It reduces the regulatory burden imposed on States and public water systems, increase State authority and flexibility, provides financial assistance for unfunded mandates, and directs the Environmental Protection Agency to consider costs and benefits when setting new standards. Importantly, small systems are given special consideration under the legislation. The bill requires the EPA to consider system size when determining the best available technology to address a risk, permits States to issue variances, and provides for technical assistance grants.

Of particular concern to me regarding the current law are the arbitrary numbers of specific contaminants that must be regulated—without regard to the risk they present. Currently, communities must monitor for 83 contaminants and the EPA will require monitoring for 25 more contaminants every 3 years. The bill passed by the Senate and which I have introduced eliminates this requirement and establishes a process for EPA to select and list contaminants for regulatory consideration based on occurrence and health effects.

I am hopeful that the House of Representatives will follow the Senate's lead and take swift action to move this bill.

SPECIAL APPLICATION OF SECTION 1034 OF THE INTERNAL REVENUE CODE

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mrs. MINK of Hawaii. Mr. Speaker, today I introduced a bill to provide for a special application of section 1034 of the Internal Revenue Code of 1986.

According to section 1034 of the Internal Revenue Code: If a property used by the taxpayer as his principal residence is sold by him and, within a period beginning 2 years before the date of such sale and ending 2 years after such date, property is purchased and used by the taxpayer as his principal residence, gain from such sale shall be recognized only to the extent that the taxpayer's adjusted sales price of the old residence exceeds the taxpayer's cost of purchasing the new residence.

When Hurricane Iniki hit on September 11, 1992, the island of Kauai was totally devastated. Thousands lost their homes along with all of their possessions. The hurricane destroyed documents and caused numerous other problems. The crisis left the County of Kauai unable to process claims already in progress in the usual timely fashion. As a result, the 24 month IRS rollover period permitting nonrecognition of gain, on Ms. Rita Bennington's sale of her old principal residence, expired. The delays caused by the disaster are well documented, however the IRS code has no leniency for such unforeseen circumstances.

My constituent, Ms. Rita Bennington, purchased her new residence within the meaning of section 1034, however was unable to meet its requirements with respect to the sale of her old principal residence, due to the delays caused by Hurricane Iniki. This bill would allow her 2.5 years, instead of 2 years, to complete the transaction thereby allowing her to apply nonrecognition of gain provisions to the sale of her old principal residence.

Natural disasters are truly unfortunate. Nevertheless, individuals who suffer as a direct result of such destruction should not be additionally penalized with the denial of an expected tax deduction. Such circumstances should be given legislative relief.

Mr. Speaker, I urge the immediate consideration of this legislation.

IT IS TIME TO STOP THE FLOW OF ILLICIT DRUGS IN THE UNITED STATES

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. SHAW. Mr. Speaker, I rise today to introduce legislation that will authorize the imposition of trade sanctions on countries which threaten the health and safety of U.S. citizens by failing to cooperate fully with the United States regarding the reduction and interdiction of illicit drugs.

The United States has been saturated by a flood of illegal drugs which has resulted in our national security being seriously threatened. Startling new statistics reflect a resurgent drug crisis and a sharp increase in the use of heroin, cocaine, and crack cocaine, LSD, and marijuana by our children—usually between the ages of 12 and 17. We have attempted to fight the drug war by creating joint Federal-State-local task forces and with the Department of Justice's Weed and Seed sites, and by passing strict sentencing laws for drug traffickers.

Now it is clear, however, that we must not only have a tough domestic drug policy, such as by enforcing minimum mandatory sentences for drug traffickers, we must also take our fight across our borders into other countries. We need to send a strong signal to all foreign governments that we are serious about our war on drugs.

Despite the increase of drug use this past year, the administration continues to grant significant trade benefits to countries whose governments have failed to cooperate with the United States in drug interdiction efforts. Clearly, Members of Congress must now assume this responsibility and ban together to protect our country and children from these drugs.

My bill authorizes the imposition of trade sanctions on countries that fail to cooperate fully with us to stop the flow of illicit drugs. Reducing U.S. trade benefits will make foreign governments that willingly allow these drugs to end up on American streets and in American schools to think twice before they look the other way while drug kingpins in their country cultivate and or transport cocaine right before their eyes.

I urge my colleagues to cosponsor this important legislation and send a strong message to foreign countries that the United States is serious about halting the flow of illicit drugs.

EXTENSION OF AGENCY RULEMAKING PERIOD UNDER TITLE I OF THE INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. MILLER of California. Mr. Speaker, today I am introducing a simple bill that amends title I of the Indian Self-Determination and Education Assistance Act. The act, which was enacted in 1975, empowers tribes and tribal organizations to take over the operation of Federal programs that directly benefit American Indian and Alaska Native tribes. In giving tribes greater control of the programs which affect their lives on a daily basis, we sought to foster true Indian self-determination as well as to limit the growth of the attendant Federal bureaucracy which had sprung up around the Federal Indian programs.

In the 103d Congress, we amended the Indian Self-Determination Act in response to the 6-year refusal of the Departments of the Interior and Health and Human Services to promulgate rules to carry out certain provisions in the act. Through the Indian Self-Determination Act Amendments of 1994, we streamlined the contracting process, curbed the Departments' rulemaking authority, and required the Departments to negotiate new regulations with the Indian tribes.