

staff and commanders should be the objective. NATO's Partnership for Peace (PfP) initiative could be used to encourage the development of national security institutions. The three ethnic groups have all expressed interest in joining their neighbors in the PfP program. In time, NATO and 27 partner nations could be exercising, conducting seminars, and building trust and confidence with a multiethnic military in Bosnia. With a continuing NATO PfP presence in Bosnia the need for a large armed NATO force could be significantly reduced over the long term. Indeed the Partnership for Peace initiative could be used as an incentive for Sarajevo, Zagreb and Belgrade to join the rest of Europe in accepting the basic principles of respect for international boundaries, human rights, and democratic norms. This is an effective means by which to transition to what the President called a "self-sustaining secure environment" in Bosnia.

Let me briefly summarize: It is important that the missions and the tasks for the follow-on force in Bosnia be clear before the final decision is made. That an armed international police force be formed to work with the NATO force and the IPTF to develop a "self-sustaining security environment in Bosnia". That clear political guidance be given on hunting down war criminals, police functions, and forcibly returning refugees. That the Partnership for Peace initiative be offered as an incentive for Sarajevo, Belgrade and Zagreb to join their neighbors in Europe in respect for borders, human rights, and democratic principles. To provide this clarity now creates the best conditions for success in Bosnia.

Ladies and gentlemen, much has been accomplished over the past two years in NATO's first operational mission since its inception. Optimism has replaced pessimism; hope has replaced despair for the people of Bosnia. The United States and its partners have demonstrated their ability to respond to the new threats that confront the Euro-Atlantic community and the world. Within the framework of NATO, American political and military leadership have been instrumental in providing the resolve and resources to create the conditions for success in Bosnia. This has been done with candor, compassion, vision and clarity. And our troops, along with those of 36 nations to include Russia, have performed superbly for over two years. It truly is one team with one mission! A new security framework for conflict prevention in Europe will result with the success of this multinational force. But it is important that the United States stay engaged—not as the world's policeman, but the world's leader.

The President is right to stay the course in NATO. But this important mission requires thoughtful consideration before final approval. It must be based on well considered tasks for all those who continue the tedious and potentially dangerous work of building the foundation for a lasting and truly self-sustaining peace in Bosnia.

Ladies and gentlemen, I was a 2d lieutenant in Germany when the Berlin Wall was being built and a LTG Corps Commander in the famous Fulda Gap when it was torn down. I saw Germany reunited and Russian troops depart from Central Europe. As Supreme Commander, I witnessed NATO's transition in mission and structure to a new NATO but one built on the rock solid foundation of the past-shared ideals and values, and mutual respect and confidence. Indeed, these are exciting times! There is unprecedented opportunity for peace stability and prosperity in a Europe that has seen two World Wars and millions of death in this Century. We can enter the 21st Century with great hope for our children and our grandchildren. It

has been my privilege to serve my Country for 40 years to create this opportunity for peace and freedom. We must not fail. And with the help of patriotic citizens as we find here in Johnstown, Pennsylvania, I know we will succeed. I urge you to stay involved and interested in world affairs, to commit yourselves to make the world a safer, better place. I know you will. God bless you for your support of our troops and of our great nation. Thanks for what you're doing for the young people of Johnstown. And thank you for keeping Jack Murtha in the Congress of the United States.

Retired General George Joulwan was Supreme Allied Commander, Europe from 1993-1997 and the overall commander for NATO's forces in Bosnia.

EARTH DAY

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 1998

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, today is Earth Day, a day to celebrate environmental stewardship, care for the land, preserving America's scenic beauty, and responsibly managing our precious natural resources and values. Like most Americans, I am committed to achieving the highest standards of environmental protection and wise use of our resources.

I know that we cannot have a strong, prosperous America if we do not preserve our natural resources. I also know that prosperity and a clean environment is not an "either-or" proposition. We can have both if we are true to a few core American values of: accountability for results, personal and community responsibility, honest dialogue and effective use of our entrepreneurial spirit through sound science and technological advances.

It is clear that responsible values and stewardship lay the foundation for a better environment and a stronger economy. I am pleased to submit the remarks of Thomas J. Donohue, the President and CEO of the U.S. Chamber of Commerce on Earth Day for the RECORD. I applaud Mr. Donohue and the U.S. Chamber for their efforts to promote a better environment through industry and innovation.

A BUSINESS VIEW OF EARTH DAY '98: TIME FOR A NEW GENERATION OF ENVIRONMENTAL SAFEGUARDS

My very first day on the job as the new president and CEO of the U.S. Chamber of Commerce fell on September 1 of last year, which just happened to be Labor Day. We marked that occasion with a vigorous series of speeches, media interviews and other activities. Some thought that was kind of curious. They weren't used to seeing business step forward on Labor Day to speak out about policies affecting workers.

Now, as America prepares to observe Earth Day 1998 this Wednesday, I suspect that again, many will wonder what business has to offer on a day typically reserved for reflections, predictions—and yes, accusations—by those associated with environmental causes.

In fact, business normally hides on Earth Day. It's an understandable reaction, given the eagerness of some environmentalists to vilify business as the malevolent, profit-hungry force behind all our environmental problems.

Well, I want Earth Day 1998 to be remembered as the occasion when business came out of hiding and moved off the defensive.

We have progress to report and a good story to tell. We also have a warning to sound and a constructive proposal to make. Above all, as the institution that has brought unparalleled prosperity to our country—and, which over the last decade has spent at least one trillion dollars to clean the air, water and land—we have earned the right to be heard. And we will be.

And so today, I would like to: First, report on the tremendous environmental progress this nation has made and why. Second, explain why new regulatory proposals pushed by the EPA and the administration, as well as the global environmental community, will stall further environmental cleanup—and, hurt our society's ability to pay for it. And third, discuss a new approach to environmental management going forward.

I. THE STATE OF THE ENVIRONMENT—1998

To best determine how to move forward on environmental policy, Americans need to fully understand just how far we've come.

The environment is much cleaner and safer than 30 years ago. It is an impressive story. Let me give you the highlights:

Water

Since the inception of the Clean Water Act in 1972, 93% of businesses are in significant compliance with the law.

Point source pollution has been reduced dramatically. More than 1 billion pounds of toxic pollution have been prevented from entering the nation's waters each year due to the wastewater standards put in place over the past generation.

More than 64,000 major industrial permits—agreements between companies and the government—are now in place to control discharges.

As of 1996, the business community's annual investment in clean water reached \$50 billion.

Air

Air quality has also improved dramatically. Since 1970, emissions of lead have virtually disappeared, emissions of particulate matter have decreased by 78%, and total emissions of six common air pollutants have declined by an average of 24%. Since 1980, sulfur dioxide emissions from electric power plants have been cut in half.

These improvements have occurred even as the U.S. economy, as measured by GDP, grew by 104%, the population rose by 29%, and the number of motor vehicle miles driven increased by 121%, according to EPA.

The business community's annual contribution to cleaner air as of 1994 is \$25 billion.

Land

Prior to 1976, solid and hazardous waste in the United States went literally unmanaged—other than private and municipal haulers picking up household waste. It was estimated that there were over 17,000 open dumps.

Little attention was paid to hazardous waste either and the health impacts were unknown. The first law that was enacted to regulate the transportation, treatment, storage and disposal of hazardous waste, the Resource Conservation and Recovery Act ("RCRA"), was supported by industry, to prevent any one state becoming a dumping ground for the waste from other states.

Today there are no known open dumps being allowed to operate in the United States. As for hazardous waste, its improper disposal is virtually non-existent.

What accounts for such substantial progress in cleaning the water, air and land? The simple, easy and wrong answer is that government is responsible because it forced businesses, consumers and communities to act. Speaking for business, there were times

when companies had to be nudged or even pushed into action. But on other occasions business led the way. And, in two critical respects, it was business that gave our nation the resources and the tools to succeed. I'm talking about unparalleled economic prosperity and the world's best technology.

It is only because of the wealth created by our enterprise that we have been able to invest at least a trillion dollars into making the United States one of the cleanest environments on earth. Without a strong economy and without the advances in science and technology, we would have the horrendous pollution problems of the developing world. Clearly, the stronger the economy, the cleaner the environment.

You will not see *this* business organization asking the American people to sacrifice environmental quality for the sake of economic prosperity—our message is you cannot have one without the other. A growing economy pays the bills for environmental cleanup. And a clean, healthy environment spawns profitable new industries and technologies—technologies we can export—adding immeasurably to the health, productivity and quality of life of workers and their families.

With our technological base, it is business that developed the tools to enhance environmental protection at less cost to government, taxpayers and consumers. Environmental technology is a key growth sector of the economy—nearly 1.3 million Americans are employed by more than 50,000 private environmental technology companies nationwide.

II. THE WRONG APPROACH GOING FORWARD: NAAQS, GLOBAL WARMING, ENVIRONMENTAL JUSTICE

Cleaner air, cleaner water, cleaner land—the existing system of permits and controls has scored all of the easy gains on each of these fronts. But now, the law of diminishing returns has kicked-in. For example, although 90% of gains achieved in water quality enhancement occurred between 1972 and 1990, we are spending \$50 billion annually on pollution control investments and complying with thousands of pages of new EPA regulations, to achieve little additional protection of health and the environment.

Some laws have never gotten off the ground. The Superfund law is a prime example of a complicated law, lacking common sense and designed solely to punish. That approach has never worked and never will work.

Let's just look at the facts. Superfund has been around since 1980. Of the 1200 sites on the National Priority List, only about 200 of them have been cleaned up and that was at a cost of \$32 billion. Depending on what study one relies on, somewhere between 50% and 70% of the money expended on this dysfunctional program has been spent on transactional costs—on lawsuits, lawyers and consultants.

The regulatory trend has been toward more stringent controls, more prescriptive standards of performance, and new fines and penalties—even when compliance is high. The concept of "compliance" has come to mean adherence to a rigid process, rather than achieving environmental outcomes. Clearly, this top down, command-and-control approach has outlived its usefulness.

Environmental regulators should be looking at new approaches for scoring gains that are increasingly complex, incremental and hard to come by. Unfortunately, they seem to be leaping headlong in the opposite direction—toward more bureaucratic control, even on a global scale. Where common sense, cooperation and pragmatism should prevail, they seem content to rely on the most provocative sound bite, the scariest headline and the squishiest science.

NAAQS—For example, EPA's new clean air rules clearly illustrate just how far Washington regulators can stray from reality and common sense. Just as businesses and communities were working to reach the very ambitious clean air standards set in 1990, EPA simply changed the definition of clean air and moved the goalposts, throwing everyone's good faith plans and programs into doubt. Many of EPA's own scientists have questioned the basis for these new rules which, through regulatory sleight-of-hand, could well quadruple the number of areas thrown out of clean air compliance, thus crippling their economic development plans.

On top of all that, EPA has proposed new haze regulations that further complicate the ability of businesses and communities to meet environmental mandates.

Global Warming—Then there's the issue of global climate change. Before we allow a group of nations under the banner of the United Nations to impose what would be, in effect, a \$30,000 tax on each American household over the next twenty years, we need to make sure that the sky is really falling this time around. Let me explain.

In the 1930's this nation experienced its first global warming scare—that's right, I said the 1930s! Then, as now, temperatures rose for several years in a row and artificial gases were alleged to be the cause. Then, as now, there were cries that human activity was destroying the earth.

The only problem was that by 1940 it started getting colder. By 1977 we experienced the coldest winter of the century. Some environmentalists said we were entering a new "Ice Age."—and Congress even held hearings to bemoan the fact that the earth seemed to be getting colder and colder.

By the mid-1980's the forecast had changed—the weather was getting warmer and the cries of "Global Warming" were renewed.

Science is on both sides of the issue. To me that suggests we need a reasoned debate—not the kind of approach taken by Interior Secretary Bruce Babbitt who when discussing global warming, accused business of being "un-American."¹ Nothing sells like fear, but this kind of scapegoating does not exactly foster a positive dialogue.

As a business leader I caution the United States not to commit to actions that will sink our economy while doing little to protect our environment. We should not allow the United Nations to control our domestic policy or usurp our national sovereignty. That is what Kyoto would do since much of the developing world would be exempt from the treaty's harsh edicts. Instead of dividing the world into winners and losers, why not adopt a win-win approach with a strong emphasis on the export of our environmental technologies to dirtier developing nations?

Environmental Justice—Now, let me also discuss a proposal that ought to disturb all Americans who are interested in creating a more broadly based prosperity that leaves no one behind.

On February 5, 1998, EPA issued an interim Guidance Document on so-called Environmental Justice. Under EPA's doctrine, the federal government establishes a new procedure under which individuals, in low-income or minority areas, can bring lawsuits against states and local governments and can demand that these governmental agencies impose special conditions on facilities operating in those areas. In fact, EPA can even require that companies located in these areas undertake actions to mitigate impacts of industry that may have operated in the area for decades. This would add great cost to companies that might not have even been there when the land was polluted.

For the last decade Congress has enacted laws to create empowerment zones and en-

terprise communities to help minorities and welfare recipients get into private sector jobs. Congress has created tax benefits, job training, tax-exempt bond financing, loan guarantees, block grants, technical assistance and help with locating private sources of capital to encourage companies to locate in low income and minority communities.

Environmental Justice as proposed by the Administration is not only contrary to these efforts to create new jobs in low income and minority areas; it is a policy that will drive existing good paying jobs out of those areas.

The Administration ought to reexamine its policy. It is already having a terrible effect on economic opportunity. For example, EPA is trying to stop the Shinteck project in Louisiana, a \$700 million state of the art PVC plant. In communities outside of Chicago and Philadelphia, under the guise of environmental justice, surrounding residents are trying to bankrupt facilities costing several hundred million dollars apiece. Who wants this justice that deprives low-income workers and minorities good paying jobs, a solid tax base in their communities, and investment?

This is not justice—it's economic, social and environmental insanity. Businesses will be left with no other option than to move jobs and opportunities out of the areas that need them the most. The only beneficiaries of this misguided policy will be the plaintiff's attorneys who will enjoy yet another windfall of lawsuits.

III. A NEW GENERATION OF ENVIRONMENTAL MANAGEMENT

The reality is that the major threat to environmental progress is the tired laws and regulatory programs that have brought us as far as they can but which will actually inhibit future advances. Today we have a regulatory approach that no longer provides the trust that is necessary for the proper management of our environment. The regulated community and many in the states do not trust EPA. EPA does not trust the regulated community or the states. Business does not trust the environmentalists and the environmentalists do not trust anyone.

And so American business is today asking the Clinton administration to join us in honoring Earth Day 1998 in a truly significant way—by embracing a new approach to environmental management which expends resources on priority health risks rather than perceived or unproven risks that have emotional appeal. What are the key elements of this approach?

First, *clear and realistic goals should be set*—with the emphasis on results, not paperwork and bureaucracy. Present laws and regulations have us bogged down in minutiae—we literally cannot see the forest for the trees. Setting goals would help in allocating resources and would deliver a bigger bang for the buck. It would also expose the confusing patchwork of overlapping—even conflicting—laws, regulations, and guidelines;

Second, *only the best science and most effective technologies should be used when making decisions and establishing action plans*. The inflexible language of environmental statutes and rules often prohibit agencies and regulated businesses from taking advantage of new technologies. For example, an experimental project at Amoco's Yorktown, VA refinery found that EPA regulations made the company spend \$95 million on required clean-ups when alternate ways not only would have been more effective, but would also have cost only 15% of that.

Next, *cost-benefit analysis, risk assessment, and other analytical tools must be deployed* to help us prioritize environmental cleanup resources. EPA provided cost-benefit estimates for fewer than half of its 430 planned major rules for 1998.

Next, we need *customized tools and strategies for preventing pollution at specific sites*. This is a case where one size fits nobody. In order to do this, we need to break down legal barriers that currently inhibit diverse approaches to environmental management.

Finally, federal regulators should view *state and local government and the private sector are allies, not adversaries*. Businesses, farmers, homeowners, and state and local government should be enlisted in this effort as partners, because those closest to the resource manage it the best. This requires a shift in the Washington-knows-best attitude.

CONCLUSION

Going forward, we need an environmental policy that values performance over paperwork. We need regulations based on hard numbers, clear goals and sound science. We need realistic targets and maximum flexibility as to how companies and communities can reach these targets. We need a new spirit of cooperation between EPA, the regulated community and the states. And we must fully encourage and embrace the promise of technology. Its role in future environmental progress and U.S. economic leadership cannot be overstated.

Adopt this program and business will continue to deliver a cleaner environment, just as we have done for nearly three decades.

On Earth Day two years ago, EPA Administrator Carol Browner said "the past 25 years have left us with a complex and unwieldy system of laws and regulations and increasing conflict over how we achieve environmental protection. The result of this history? An adversarial system of environmental policy. A system built on distrust. And too little environmental protection at too high a cost."

I couldn't agree more. And so I will seek the earliest opportunity to meet with Ms. Browner, Vice President Al Gore and his "re-inventing government" team to give both the regulators and the regulated a chance to put all their cards on the table—to seriously and realistically discuss how we can proceed in the future to build on the solid environmental gains we've made in the past. And since the states play such a key role in implementing environmental rules, I believe the governors, through the National Governors Association, should be involved in these discussions as well.

Working together, we can fashion the tools needed for a new millennium of environ-

mental stewardship, one that won't sacrifice our economy or our environment. A prosperous economy pays the bills and develops the technologies for a clean environment. A clean environment makes all the hard work that goes into economic growth worthwhile—because it affords us all a healthy and enjoyable quality of life. It's time to bridge that gulf that has separated these two great goals for so long. It's time to see economic opportunity and environmental quality as indivisible parts of the same great dream—the American dream.

Mr. Speaker, environmentalism for the next century should focus on core American values and produce tangible results, rather than bureaucratic command-and-control regulation. As Thomas Donohue of the U.S. Chamber of Commerce points out, personal responsibility is the key to the new environmental stewardship. It is the efforts that adequately involve local communities, stakeholders and the American public that promise a cleaner environment, a stronger economy, and a brighter future.