HOUSE OF REPRESENTATIVES—*Friday, May 12, 1995*

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. LONGLEY].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 12, 1995.

I hereby designate the Honorable JAMES B. LONGLEY, Jr., to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We are grateful, O God, that in all the moments of life there are friends and colleagues who offer to us their counsel and good word, who speak the truth with us and who correct us when we need correction, who support us when we need help, and who walk with us when we are alone. Our hearts are thankful, O gracious God, that every person can receive love and respect and kindness from others, even as we open our hearts and minds to those near and dear to us. May Your blessing, O God, that is new every morning and is with us in the depths of our souls, be with us this day and every day. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Missouri [Mr. VOLKMER] come forward and lead the House in the Pledge of Allegiance.

Mr. VOLKMER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 510. An act to extend the authorization for certain programs under the Native American Programs Act of 1974, and for other purposes.

CLEAN WATER AMENDMENTS OF 1995

The SPEAKER pro tempore. Pursuant to House Resolution 140 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 961.

□ 1003

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 961) to amend the Federal Water Pollution Control Act, with Mr. MCINNIS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Thursday, May 11, 1995, the amendment offered by the gentleman from Missouri [Mr. EMERSON], as amended, had been disposed of, and title VI was open at any point.

Are there any amendments to title VI?

AMENDMENT OFFERED BY MR. LIPINSKI

Mr. LIPINSKI. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. LIPINSKI: Pages 231 and 232, strike the table and insert the following:

"States:	*Percent of sums authorized:*
Alabama	0.7736
Alaska	0.2500
Arizona	1.1526
Arkansas	0.3853
California	9.3957
Colorado	0.6964
Connecticut	1.3875
Delaware	0.2500
District of Columbia	0.3203
Florida	3.4696
Georgia	2.0334
Hawaii	0.2629
Idaho	0.2531
Illinois	5.6615
Indiana	3.1304
Iowa	0.6116
Kansas	0.8749
Kentucky	1.3662
Louisiana	1.0128
Maine	0.6742
Maryland	1.6701
Massachusetts	4.3755
Michigan	3.8495
Minnesota	1.3275
Mississippi	0.6406
Missouri	1.7167
Montana	0.2500
Nebraska	0.4008
Nevada	0.2500
New Hampshire	0.4791
New Jersey	4.7219
New Mexico	0.2500
New York	14.7435
North Carolina	2.5920
North Dakota	0.2500
Ohio	4.9828
Oklahoma	0.6273
Oregon	1.2483
Pennsylvania	4.2431
Rhode Island	0.4454
South Carolina	0.7480
South Dakota	0.2500
Tennessee	1.4767
Texas	4.6773
Utah	0.2937
Vermont	0.2722
Virginia	2.4794
Washington	2.2096
West Virginia	1.4346
Wisconsin	1.4261
Wyoming	0.2500
Puerto Rico	1.0866
Northern Marianas	0.0308
American Samoa	0.0908
Guam	0.0657
Palau	0.1295
Virgin Islands	0.0527".

Mr. LIPINSKI. Mr. Chairman, this amendment is very straightforward. During the subcommittee markup of H.R. 961, an amendment was adopted which revised the allotment formula for the State revolving fund grants for wastewater treatment facilities. Although putting a 10 percent cap in a hold harmless provision in the bill may seem like a good idea, the change in the formula has a dramatic impact on allotments for 21 States, including Illinois.

Let us look at history. Right now allocation is based on needs and population data from the 1970's. Nobody thinks we should keep using this allocation, and until the amendment was adopted in subcommittee, everyone agreed on the allocation that is in my amendment which was based on the most current data, which means the 1990 population figures, the 1990 needs. But it was changed by the subcommittee, and I want to change it back. The reason should be clear.

Mr. Chairman, if my amendment does not pass, Illinois, represented by me and 19 other Members of this body, will lose almost $83 million over 5 years. Also, Arizona will lose $50 million; California, $186 million; Connecticut, $4 million; Florida, $3 million; Georgia,

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$20 million; Indiana, $58 million; Kansas, $737,000; Kentucky, $1½ million; Louisiana, $850,000; Massachusetts, $78,000; New Jersey, $25,000; New York, $381 million; North Carolina, $74 million; Oregon, $1 million; Pennsylvania, $3.575 million; Tennessee, $1 million; Texas, $4 million; Virginia, $27 million; Washington, $35 million; West Virginia, $1.2 million; American Samoa, $1.2 million; Guam, $875,000. For the 21 affected States we are talking about a total of almost $1 trillion; to be exact, $955 million.

But obviously some States benefit from the provision. Alaska gains $37 million; Hawaii, $55 million; Iowa, $77 million; Missouri, $99 million, and Wisconsin is the biggest winner with an increase of more than $127 million.

I would not be so bold as to suggest that the 16 Members from Wisconsin vote for this amendment. If they did, they would be voting against $127 million for their own State. The same goes for the Representatives of the 29 States that benefit from this allocation that is presently in the bill. Although I would be more than happy to have their votes, I certainly will not seek them, expect them to vote against the best interests of their State, but, if I and every other Member from a State that loses money under the new allocation votes against this amendment, we will be voting against our State. That does not make any sense to me, Mr. Chairman.

This amendment is not complicated. There are winners and losers on the issue. But if every Member votes in the best interest of his or her State, my amendment will pass 299 to 136. I hope that will happen.

AMENDMENT OFFERED BY MR. BATEMAN AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. LIPINSKI

Mr. BATEMAN. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The clerk read as follows:

Amendment offered by Mr. BATEMAN as a substitute for the amendment offered by Mr. LIPINSKI: Pages 231 and 232, strike the table and insert the following:

State	Percentage of sums authorized for fiscal year			
	1996	1997	1998	1999 & 2000
Alabama	1.0693	1.0110	0.9504	0.8896
Alaska	0.5723	0.5411	0.5087	0.4761
Arizona	0.7139	0.7464	0.7767	0.8060
Arkansas	0.6255	0.5914	0.5560	0.5204
California	7.5590	7.9031	8.2244	8.5345
Colorado	0.7649	0.7232	0.6885	0.6847
Connecticut	1.2948	1.3537	1.3718	1.3643
Delaware	0.4694	0.4438	0.4173	0.3905
District of Columbia	0.4694	0.4438	0.4173	0.3905
Florida	3.4532	3.4462	3.4304	3.4115
Georgia	1.7870	1.8683	1.9443	1.9993
Hawaii	0.7406	0.7002	0.6583	0.6161
Idaho	0.4694	0.4438	0.4173	0.3905
Illinois	4.7801	4.9976	5.2008	5.3970
Indiana	2.5472	2.6631	2.7714	2.8759
Iowa	1.2942	1.2236	1.1503	1.0767
Kansas	0.8708	0.8690	0.8650	0.8602
Kentucky	1.3452	1.3570	1.3508	1.3433
Louisiana	1.0512	1.0060	1.0014	0.9958
Maine	0.7402	0.6999	0.6666	0.6629
Maryland	2.3128	2.1867	2.0557	1.9241
Massachusetts	3.5884	3.7518	3.9043	4.0515
Michigan	4.1117	3.8875	3.8061	3.7850
Minnesota	1.7576	1.6618	1.5622	1.4622
Mississippi	0.8615	0.8146	0.7658	0.7167
Missouri	2.6509	2.5063	2.3562	2.2054
Montana	0.4694	0.4438	0.4173	0.3905
Nebraska	0.4891	0.4624	0.4347	0.4069
Nevada	0.4694	0.4438	0.4173	0.3905
New Hampshire	0.9556	0.9035	0.8494	0.7950
New Jersey	4.3190	4.5156	4.6686	4.6428
New Mexico	0.4694	0.4438	0.4173	0.3905
New York	11.6659	12.1969	12.6928	13.1714
North Carolina	1.9075	1.9943	2.0754	2.1537
North Dakota	0.4694	0.4438	0.4173	0.3905
Ohio	5.3833	5.0898	4.9266	4.8993
Oklahoma	0.7726	0.7304	0.6867	0.6427
Oregon	1.1939	1.2399	1.2342	1.2274
Pennsylvania	4.1866	4.2145	4.1952	4.1720
Rhode Island	0.6421	0.6071	0.5707	0.5342
South Carolina	0.9796	0.9262	0.8707	0.8150
South Dakota	0.4694	0.4438	0.4173	0.3905
Tennessee	1.4697	1.4668	1.4600	1.4520
Texas	4.6552	4.6458	4.6245	4.5989
Utah	0.5039	0.4764	0.4479	0.4192
Vermont	0.4694	0.4438	0.4173	0.3905
Virginia	2.1630	2.2615	2.3534	2.4379
Washington	1.8380	1.9217	1.9998	2.0752
West Virginia	1.4907	1.4249	1.4184	1.4106
Wisconsin	2.5852	2.4442	2.2978	2.1507
Wyoming	0.4694	0.4438	0.4173	0.3905
Puerto Rico	1.2472	1.1792	1.1185	1.1123
Northern Marianas	0.0399	0.0377	0.0355	0.0332
American Samoa	0.0859	0.0812	0.0763	0.0714
Guam	0.0621	0.0587	0.0552	0.0517
Palau	0.1224	0.1158	0.1088	0.1019
Virgin Islands	0.0551	0.0576	0.0599	0.0599."

Mr. BATEMAN. Mr. Chairman and Members of the House, I rise reluctantly to offer an alternative by way of a substitute for the amendment just discussed and presented by the distinguished gentleman from Illinois [Mr. LIPINSKI]. Our relationship has been a very close and cordial one, and I would hold it up as an example of the bipartisan spirit in which all of us should conduct our affairs for all Members of the House.

Let me say that I find myself somewhat in the position of the interloper who sought to separate two young sisters involved in a fist fight in the schoolyard, where the interloper, the peacemaker, became the subject of attack by both parties. There are indeed winners and losers any time we change any formula by which funding is allocated, as the gentleman from Illinois has pointed out.

One of the things that we must bear in mind, however, as we go through this debate about how to accomplish this reallocation based upon a new formula is some notion of equity, especially as it bears upon the default of the Congress over so many years to have upgraded the formula that has been in the law since the 1970's. We did not do that which we should have done over that long period of time, and so finally, when we have a new need for assessment and a proposed formula for allocation, it creates incredible peaks and valleys for so many States. There are States that lose as much as 59 percent of the funding they have historically been receiving. There are States which have enormous gains as a result in the new formula. The committee bill has capped the gains and losses at 5 percent. The amendment offered by the gentleman from Illinois [Mr. LIPINSKI] implements the new formula without any caps, without any effort to deal with the incredible losses which some States will sustain while giving all of the gain to every State——

Mr. NADLER. Will the gentleman yield?

Mr. BATEMAN. Not at this point; I will try to save some time so that I might at the end.

The alternative provision that I offer to both the committee bill and to the gentleman from Illinois' amendment is to allow those States that gain to gain more than is available to them under the committee bill, while at the same time putting some floor under the losses of the losing States. Under my substitute amendment, Mr. Chairman, the gainers would gain 5 percent each year until they had gained 20 percent above their present allocations. The losers would lose 5 percent each year until they had lost 20 percent of their allocation. Obviously this is an effort to do some equity, to prevent the enormous peaks and valleys that would occur if we just implement the new assessment formula without any change, but certainly would be dealing more equitably with the gaining States than allowing them significantly more of the gains they are entitled to under the new formula than would the committee bill as it comes to the floor.

I strongly recommend to my colleagues that, not only from a sense of equity, but in terms of looking at this bill more analytically, that they support my substitute amendment. There are States which would gain more under the gentleman from Illinois' amendment, but suppose the gentleman from Illinois' amendment at the end of the day is not the version which carries. They would then be stuck with the allocation formula in the bill as it comes to the floor or some modification which ultimately may arise in committee of conference, and under the worst possible case, if the bill is not enacted into law, we would have no reauthorization other than revolving funds and no funds in the future.

I say to my colleagues, "When you contemplate all of the alternatives, I think the responsible, the fair, the equitable alternative would be found to be the one which I offer this morning."

Mr. NADLER. Mr. Chairman, will the gentleman yield?

Mr. BATEMAN. I yield to the gentleman from New York.

Mr. NADLER. Could the gentleman answer the following questions? The gentleman from Illinois [Mr. LIPINSKI] gave us a list of States, of how much they would lose under the committee's formula compared to his formula. It names some of the larger losers, and can the gentleman tell me the corresponding figures for his substitute, please?

Mr. BATEMAN. I do not have them in front of me. I will get them and bring them to the gentleman. There is a list, and it will be available on the

floor. I do not have it in my remarks. I do not have it in front of me.

Mr. LIPINSKI. Mr. Chairman, if the gentleman will yield to me, I have those figures, and I will give them to him.

Mr. NADLER. Would the gentleman yield to the gentleman from Illinois so we can get those figures?

The CHAIRMAN. The time of the gentleman from Virginia [Mr. BATEMAN] has expired.

(At the request of Mr. NADLER and by unanimous consent, Mr. BATEMAN was allowed to proceed for 2 additional minutes.)

□ 1015

Mr. LIPINSKI. Mr. Chairman, will the gentleman yield?

Mr. BATEMAN. I yield to the gentleman from Illinois.

Mr. LIPINSKI. Mr. Chairman, I have the list. The gentleman wants to know what the losses are going to be. He does not know what you are going to ask.

Mr. BATEMAN. Might I suggest if the time has been yielded back to me, the more orderly way to proceed might be for me to yield back the time and then you all can raise such questions as you want, and then I will try and have the information to respond. At this point let me yield back the time. I am not trying to avoid getting you the information.

Mr. NADLER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let me first make a couple of comments here. Allocations of highway funding should be based on need and population. That is the tradition in the House and the fairest way. The amendment offered by the gentleman from Illinois bases the allocations on the latest needs figures from 1990 and on the latest population figures from the 1990 census. Of course, they differ from the needs and population figured in 1970, 20 years ago, based on a 20-year-old formula. Of course, some States have greater needs now relative to others and greater population now relative to others, and others have less.

They should gain and lose accordingly. If some States have much less needs, then they should have much less funds. If some States have much more needs, they should get a much greater proportion. That is the fairest way to do it, and that is what the gentleman from Illinois does, and that is the tradition we have followed over the years.

The committee formula bases it on current needs and population, modified by a hold-harmless formula to say that those States which no longer have the need relative to others should continue getting more than they need relative to others.

The substitute of the gentleman from Virginia says well, we are not going to continue that indefinitely, but we are going to continue to give an unfair proportion to some States, to 6 States, and an unfairly low proportion to 26 States, for 5 years. In fact, for any that are off balance by more than 20 percent, indeterminately. It is not fair and not right.

Therefore I urge the defeat of the substitute amendment and the adoption of the amendment.

With that, I will ask if the gentleman from Illinois would answer a couple of questions.

I would ask the gentleman, under the committee formula, Washington loses $35 million. How much would it lose under the gentleman from Virginia's amendment?

Mr. LIPINSKI. $28,452,500.

Mr. NADLER. Virginia loses $27 million. How much would it lose under the amendment?

Mr. LIPINSKI. $18,588,500.

Mr. NADLER. New York loses $318 million. Under the gentleman's substitute, how much would it lose?

Mr. LIPINSKI. The great State of New York would lose $270,720,500.

Mr. NADLER. Illinois would lose $83 million. How much would it lose under the substitute?

Mr. LIPINSKI. $63,375,000.

Mr. NADLER. Arizona would lose $50 million. How much would it lose under the substitute?

Mr. LIPINSKI. $47,850,000.

Mr. NADLER. California would lose $186 million under the gentleman's substitute.

Mr. LIPINSKI. $155,570,000.

Mr. NADLER. And Florida would lose $3 million. Under the gentleman's substitute, how much would it lose?

Mr. LIPINSKI. $4,888,000.

Mr. NADLER. Indiana would lose $58 million under the gentleman's substitute.

Mr. LIPINSKI. $47,962,000.

Mr. NADLER. Georgia would lose $20 million under the gentleman's substitute.

Mr. LIPINSKI. $14,220,000.

Mr. NADLER. Mr. Chairman, I thank the gentleman from Illinois.

Mr. Chairman, I would simply observe the gentleman's substitute does very little, as you heard from those figures, to undo the inequity of the committee formula. The gentleman's substitute should not be adopted. The amendment of the gentleman from Illinois, which bases the allocation formula strictly on needs and on population based on the 1990 census, should be adopted as continuing the tradition of the House to base these allocations fairly on population and on needs. And if some States have much less needs currently, so be it. If others have greater, they should get proportionately what they need.

Mr. BATEMAN. Mr. Chairman, will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Virginia.

Mr. BATEMAN. Mr. Chairman, I thank the gentleman from New York for yielding.

Mr. Chairman, I would not question the arithmetic of the gentleman from Illinois or the gentleman from New York. I would question, however, the ultimate analysis and where the bottom line falls. It is true that States you enumerated would not do as well under my substitute as under the Lipinski amendment. I think, however, you need to assess it in the context of what is the difference between the version of the formula in the committee bill and the Bateman substitute, and all of those States would be substantially improved or enhanced under my substitute, more than they would under the bill as it comes to the floor.

The CHAIRMAN. The time of the gentleman from New York [Mr. NADLER] has expired.

(By unanimous consent, Mr. NADLER was allowed to proceed for 2 additional minutes.)

Mr. NADLER. Mr. Chairman, here are the differences. The States that have greater needs and greater populations would not be substantially benefited and treated substantially more fairly under the substitute offered by the gentleman from Virginia. Compare: Washington would only lose $28 million instead of $35 million. Is $7 million substantial? It would still lose $28 million from what it should get. Virginia would lose $18 million instead of $27 million. New York would lose $270 million. It is better than $318 million, but still $270 million. Unfair. Illinois would lose $63 million. Better than $83 million. California would lose $155 million. A little better than $186 million, but still $155 million less than it should get. Georgia, $14 million; Florida, $3 million.

The sum and substance, Mr. Chairman, is that most States, the majority of States, 26 States, would be treated unfairly under this amendment and under the substitute. Six States would gain. There is no reason for that other than a desire to protect the States which have relatively less need, and in this era of fiscal stringency, where we are going to be cutting down the funds appropriated pursuant to this appropriations bill, we should not treat the States unfairly.

Mr. SHUSTER. Mr. Chairman, will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, if this passes, will the gentleman from New York vote for the bill? If the Lipinski amendment passes, will the gentleman vote for the bill?

Mr. NADLER. Mr. Chairman, if many of the other changes that I and others on this side have suggested are adopted, I would certainly consider it.

Mr. SHUSTER. I thank the gentleman for his obfuscation.

Mr. NADLER. Reclaiming my time, it is never a valid argument against an amendment that the people supporting the amendment may or may not support the bill. The question is, What does the bill look like at the end? I cannot tell you right now what the bill is going to look like at the end. I reserve judgment on whether I will vote.

Mr. SHUSTER. Mr. Chairman, I move to strike the requisite number of words and rise in support of the amendment offered by the gentleman from Virginia [Mr. BATEMAN].

Mr. Chairman, in the committee bill we rewrote the formula. The formula was developed in the 1970's based on population and based on needs. As a result of the changing needs and the changing population, we rewrote that formula. However, in doing so, we recognized that it would have an extreme impact on 23 States, which under the raw formula change would see one-third or more of their grants wiped out between 1995 and 1996. Three States, Alaska, Hawaii, and Iowa, would have their programs cut by 55 to 70 percent. So we said to ease the pain and the transition, we would put a plus or minus 10 percent cap, which seems to be fair.

Now, Pennsylvania would gain under Mr. LIPINSKI's wiping out of this 10 percent cap. But, nevertheless, in the interest of balance and fairness, I think that it is appropriate to have some form of transition.

Along comes the amendment of the gentleman from Virginia [Mr. BATEMAN], which actually goes a lot further toward Mr. LIPINSKI than the 10-percent cap which we imposed in the committee. Under this formula, it would go from a 55-percent cap to 10 percent in the second year, to 15 percent, to 20 percent, and 20 percent in the fifth year, the final year of this bill. Presumably there would be no caps as we move beyond the fifth year.

I think that is more balanced and more fair. It phases out the caps and, ultimately over a 5-year period, we get to the raw formula that Mr. LIPINSKI is proposing, and the formula which is in the bill, without the caps.

So, for all of those reasons, I believe in the interest of fairness and balance, we should support the Bateman amendment as a compromise to this issue, and urge adoption of the Bateman amendment.

Mr. MINETA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Bateman substitute amendment and am in support of the Lipinski amendment. The formula used to allocate wastewater State evolving loan fund money under existing law is based on data from the mid-1970's, with most of the weight on needs and relatively little weight on population. No one can defend using out-of-date data as the best way to allocate scarce resources, or to effectively address needs into the 21st century, which is what the formula we put in this bill will have to do.

All the clean water bills introduced in the last Congress and in this Congress, including H.R. 961 as originally introduced, have used the same new formula, one that retains the weights in existing law but is based on the latest needs and population data available.

The formula was changed during subcommittee markup. This latest formula—the one that is in the reported bill—basically keeps the formula that is in existing law, but adjusts a State's allocation up or down by 10 percent. That is hardly bringing the formula up to date.

We have heard a great deal in this Congress, and by proponents of this bill, about making decisions based on sound science. But one is hard put to explain how relying on data that are 20 years out of date and an arbitrary plus or minus 10 percent adjustment can be sound science.

Because of tight Federal budget, wastewater treatment program suffers from severely limited funding. It is, therefore, imperative that we use the money available in the most effective way possible. Allocating it in the way best reflective of current needs is part of assuring that it is used as effectively as possible. The formula in existing law, of course, does not meet that test. Neither does the formula in H.R. 961.

It has been argued that while a change in the existing formula is clearly overdue, we should only marginally adjust the formula because otherwise a few States would have their allotments changed substantially. That may be true. But it is only because we have waited so long to update the formula. For instance, if you allow no Social Security cost-of-living adjustment for 20-year catch-up cost-of-living adjustment will produce a big jump, too. But that does not make it any less justified.

The gentleman from Illinois has circulated a "Dear Colleague" so that Members can see exactly how the formula in this bill would treat all States and how the formula in his amendment would treat all States. Given the importance of this vote, I would urge all Members to be familiar with that information before they cast their votes. If anyone does not have that information, I am sure that Mr. LIPINSKI can make that available to our colleagues.

Mr. Chairman, I rise at this time in support of the Lipinski amendment.

□ 1030

Mr. PETRI. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the Bateman amendment and in opposition to the Lipinski amendment.

Mr. Chairman, I strongly oppose this amendment which would reinstate a previously rejected and inequitable formula for the allocation of Federal capitalization grants for State revolving loan funds.

First of all, it is my understanding that there is a certain amount of controversy regarding the validity of the 1992 needs survey on which the formula in the amendment is based. In addition, the formula results in such wild fluctuations that most States experience either tremendous losses or tremendous gains in their allotment.

My own State of Wisconsin would experience a 48-percent drop from the formula in existing law. And that is not the most severe decrease—several States would be cut even more dramatically. How can we be expected to support that?

A decrease of that amount would be particularly frustrating and discouraging to States which are leaders in water quality programs and devote State resources to wastewater treatment programs beyond the required 20-percent match under the Clean Water Act. Many of these leaders would be cut severely under this amendment. A 10-percent decrease still causes some concern, but a 48-percent drop would be devastating and would send the wrong message to our State partners in clean water.

I can assure you that many of us would be happy to receive a 10-percent increase. Some States will receive less of an increase under the formula in H.R. 961, but they are still receiving a 10-percent increase.

Finally, I believe that we really should take another look at what elements are included in this needs based formula. H.R. 961 opens up the State revolving loan funds so that States can use the Federal funds for wastewater treatment, clean lakes programs, nonpoint source pollution control programs, watershed and stormwater programs, and a host of other activities. But this formula reportedly is based primarily on wastewater treatment capital infrastructure requirements.

But if you consider Wisconsin's nearly 15,000 lakes, 57,000 stream and river miles, 1,100 miles of Great Lakes shoreline, 1,700 square miles of estuaries and harbors, and the agricultural pollution challenges that we face from 70,000 farms—which is 4 times what New York State has—and if all of these factors were included in the formula, I can assure you the overwhelming water needs we have in Wisconsin would become quite apparent.

I want to commend the chairman of the Transportation and Infrastructure Committee for his action and leadership on this issue. And I urge that the Lipinski amendment be defeated by the House as it already has been in the committee.

Mr. BATEMAN. Mr. Chairman, will the gentleman yield?

Mr. PETRI. I yield to the gentleman from Virginia.

Mr. BATEMAN. Mr. Chairman, I take it the gentleman agrees with me and shares my concern that if you just implemented the raw data from the new formula, 29 States would lose, some of them as much as 9 percent of their funding.

Mr. PETRI. That is absolutely right. What this would do, too, is, frankly, based on needs and not looking at what States have done tends to reward States that have been ineffective in using funds they got under the last program rather than States that have done a good job.

It seems to me that is a little bit funny, plus removing the nonpoint source approaches here and the needs assessment survey does not reflect the broadening of the State and Federal pollution fighting effort. The needs are based on wastewater needs, not on total needs in each State.

Mr. BATEMAN. Mr. Chairman, I thank the gentleman for yielding.

Mr. DEFAZIO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I guess the bottom line here is that we often get embroiled in these formula debates here in the House. And I have heard some seemingly convincing arguments on the other side enumerating the number of States that would benefit under one formula or the other. But, of course, part of what is neglected in that argument is the population base on those States.

Actually, under the Lipinski amendment, the math is pretty simple for 299 Members of this House and for the constituents of 299 Members of this House. There is not enough money to do everything we need to do in wastewater treatment. I think there should be more money in the budget. I think the Republican budget proposed yesterday by slashing funds for infrastructure and wastewater treatment is going the wrong way. I would be willing to support a higher emphasis on these needs in our Nation. But given the fact we are fighting over a shrinking pie here, there is a pretty basic equation.

That is, if you lose under the committee bill, which 299 Members of this body do, far more than a simple majority, those same 299 Members still lose under the Bateman substitute to the Lipinski amendment.

So I would suggest, despite all the Rube Goldberging and everything else that is going on around here, that we get back to the basic facts. And that is, the needs are not met in those States represented by 299 Members any better than they are in the other States represented by a minority of Members in this House who would benefit under this amendment. So I would strongly suggest that any of those 299 who vote to gut the Lipinski amendment will perhaps have some explaining to do when they go home to their constituents.

Mr. FLANAGAN. Mr. Chairman, I move to strike the requisite number of words, and I rise in strong support of the Lipinski amendment and in opposition to the Bateman substitute.

Mr. Chairman, I thank the gentleman from Virginia for his very thoughtful substitute. And he is my friend and I reluctantly oppose his substitute here. I would say that under its current form, title VI of the Clean Water Act amendment authorizes an annual allocation of $2.5 billion over the next 5 years for State water pollution controlling revolving funds or SRF's. These SRF's provide critical assistance to States for the operation loan programs, for the construction and maintenance of municipal wastewater treatment plants. These loans represent the frontline for localities in their struggle to improve our drinking water quality.

However, as it is written now, title VI unfairly distributes these funds under a bizarre and outdated formula that is based on estimated needs and population statistics from the 1970's. Instead, the Lipinski allocation reflects real needs and uses real current census data, the result being a better return for each dollar spent.

The Bateman substitute, on the other hand, attempts to address inequity through a level of caps and also trying to move in this same direction. But to offer or foster the argument that we have a past inequity that is 20 years old, that is based on data that is that old, that will only move toward correcting it rather than correcting it now seems to be perpetuating the same wrong of the past just to a lesser degree.

I think in pure fairness, we should adopt the Lipinski amendment and reject the Bateman substitute, painful though it may be for those States who have, under the current calculation, received more than they should have for many years and will continue to receive more under this substitute.

If the Lipinski amendment is not adopted, then States like California, New York, and my home State of Illinois will lose millions. The Lipinski amendment is a question of fairness. With the adoption of this amendment, States like Illinois will receive their equitable share of SRF assistance as opposed to something closer to their equitable share.

So I urge my colleagues to support the Lipinski amendment and to defeat the Bateman substitute.

Mr. LIPINSKI. Mr. Chairman, I rise in opposition to the Bateman substitute amendment, and I move to strike the requisite number of words.

Mr. Chairman, I appreciate my very good friend, and I mean this sincerely, my very good friend, the gentleman from Virginia [Mr. BATEMAN], putting forth this amendment. He and I came to Congress together. We were friends then.

In the last few years, we worked very closely together on the Merchant Marine Subcommittee. In fact, I doubt seriously there has ever been a majority or minority that worked any closer together. So I am happy that he has brought forth this amendment. I know that he frames it as a compromise, but in all honesty I do not see it as a compromise. It is a minute step in the right direction but only a minute step in the right direction.

Let us remember that my amendment simply restores what was in the bill last year, what was in the bill at the beginning of this year, and what was not removed from the bill until the subcommittee markup.

At the full committee markup, I attempted to return to the original formula in the bill based upon 1990 population and needs. We lost. We lost on a vote of 30 to 30. Unfortunately the 31st vote in our favor wandered in the door a few minutes after the gavel fell. The next day we attempted to revive it for another vote, but we failed. It was tabled.

Mr. Chairman, I have heard people talk about here today that it was defeated in committee. There have been letters sent out saying it was defeated in committee, my amendment. It is true, but I thought I would put it in the proper perspective.

Once again I would like to reiterate, there are winners and there are losers. I oppose and I ask you to oppose the Bateman substitute, and I ask you to support the Lipinski amendment, particularly the following States: Arizona, California, Connecticut, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Massachusetts, New Jersey, New York, North Carolina, Oregon, Pennsylvania, Tennessee, Texas, Virginia, Washington, and West Virginia.

If you do not defeat the Bateman amendment and support the Lipinski amendment, those States will lose close to $800 million.

Mr. BLUTE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Lipinski amendment. I have a great deal of respect for the gentleman from Illinois but I think this approach is flawed. I will be supporting the Bateman amendment and vote against the Lipinski amendment because, quite frankly, the Lipinski amendment provides an inequitable allotment formula for the distribution of State revolving loan funds.

Sure, I would love to think solely about my State and how much more money we could get out of the Lipinski formula. But we are talking about clean water as a national policy here. Every State deserves a fair allotment. The fact of the matter is the SRF is a national program. We in Congress have a duty and responsibility to ensure that national programs are run fairly

and equitably. The chairman and the committee did that in the committee, and the Bateman substitute goes even further toward that end.

It provides safeguards to prevent huge disparities in funding allotments and ensures that no State benefits at the expense of another State. Under Lipinski, however, only a few States would benefit at the expense of 23 other States, 14 of which stand to see their SFR funds cut by more than 50 percent. This is not fair, and it simply is not good public policy especially at a time when we are encouraging States to play a more active role in managing their pollution control programs.

Mr. BATEMAN'S amendment is more evenhanded and does not contain this egregious treatment that some States receive under the Lipinski amendment. The allotment formula is far more objective.

For this reason, I ask my colleagues to do the fair thing and vote against the Lipinski amendment and vote for the Bateman substitute.

Mr. HAYES. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the Bateman substitute and in opposition to the Lipinski amendment.

The gentleman is entirely correct in his formula approach; by that I mean the gentleman from Illinois [Mr. LIPINSKI], as was the committee. However, the committee balanced the extraordinary impact that would occur on the handful of States, somewhere 14 to 20, that would be so disproportionate to their present funding that it simply was not fair.

□ 1045

I would have no quarrel with accepting the formula of the gentleman from Illinois [Mr. LIPINSKI], if it did not so disservice that handful of States. The gentleman from Illinois was also correct when he read his list a moment ago and included my home State of Louisiana as one that would lose under both the committee and the substitute amendment by the gentleman from Virginia [Mr. BATEMAN]. But I believe a State like Louisiana, that I represent, would lose something bigger if we did not understand that we should not gain at the tremendous expense of those who would be so unfairly impacted by the rigid change in allocation of formula.

Therefore, the phase-in by the gentleman from Virginia [Mr. BATEMAN] is a much fairer approach, balances between the two, and I hope is supported by a majority of the House. We come here never forgetting where we are from, but we also recognize that "U.S." stands in front of "Congressman," and on the occasions when our States would be so severely negatively impacted we hope to remember and remind those that we helped at these times in asking their help in the future.

For that reason, I, on one of the rare occasions, disagree with the gentleman from Illinois [Mr. LIPINSKI]. I am going to oppose his amendment.

Mr. ZELIFF. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the Lipinski amendment. H.R. 961, as passed by the Transportation Committee, authorizes general State revolving fund capitalization grants at $3 billion each year for fiscal years 1996 through 2000. These SRF capitalizing grants provide essential assistance to States and local governments which will be faced with over $120 billion in capital needs related to Clean Water Act water quality requirements over the next 20 years.

In addition to increasing the total amount of SRF grants available to States and localities, title VI, as passed by the committee, is based on the population and the recently estimated needs of a State, and includes a hold harmless cap to prevent any State from losing or gaining more than 20 percent of its prior allotment.

The current SRF allotment formula is based on an outdated 1977 State population and needs data. The Lipinski amendment would force States to absorb the effects of updating a nearly 20-year-old SRF formula in 1 year. Without the Bateman amendment and the 20-percent floor and cap, there would be many very big losers and a couple of very big gainers. The elimination of the 20-percent loss limitation, as proposed by Mr. LIPINSKI, would result in 30 States and the District of Columbia being faced with a drastic reduction in their share of SRF grants.

New Hampshire would be the fourth largest loser under the Lipinski allotment formula. It would suffer a 53-percent reduction in its current allotment of SRF grants, which translates as a loss of over $10 million per year. Based on the 1992 Needs Survey Report to Congress, New Hampshire's total sewage infrastructure needs a total over $1 billion. This cut of $53 million between fiscal years 1996 and 2000 would be devastating to the communities of New Hampshire. New Hampshire's $536 million in new sewer construction needs would still be unmet. Its $164 million in wastewater treatment needs would be unmet. Its $37 million in rehabilitation of existing sewer needs would be unmet. And its $330 million in combined sewer overflow needs would be unmet. The amendment would financially cripple communities throughout the State and hinder efforts to improve the quality of their water resources.

New Hampshire is by no means the only State faced with enormous water infrastructure costs, nor is it the only State that would be faced with severe reductions in its SRF allotment under the Lipinski amendment. There would be far more big losers than big gainers under this amendment. The biggest losers would be Hawaii at a 66-percent loss, Alaska at 59 percent, Iowa at 55 percent, Delaware at 50 percent, Montana at 50 percent, Nevada at 50 percent, New Mexico at 50 percent, North Dakota at 50 percent, South Dakota at 50 percent, Wyoming at 50 percent, and Idaho at 49 percent. The big winners under the Lipinski amendment would be Arizona at a 68-percent increase, North Carolina, at 42 percent, and New York at 32 percent. Mr. LIPINSKI'S State of Illinois would gain 24 percent. Mr. Chairman, is it fair for 10 States to lose 50 percent or more of their SRF funding to 1 State's gain of 68 percent; or for 22 States and the District of Columbia to lose 30 percent or more of their funding to 5 States' gain of 30 percent or more? With the 10 percent hold harmless in place, the 30 States and the District of Columbia which would have otherwise suffered significant cuts in their share of the SRF grants will be able to continue their needed wastewater treatment projects.

This is an issue of fairness and of sound national public policy. Let us not return the Clean Water Act to be an unfunded mandate for a majority of the States. It is our obligation to ensure equity in the SRF allotment distribution so that all States, counties, and localities across this Nation have the ability to meet their wastewater infrastructure needs and to do their part in improving the quality of America's water resources. I strongly urge my colleagues join with me, support the Bateman amendment, and vote "no" on the Lipinski amendment.

Mr. GILCHREST. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in reluctant opposition to the amendment of my good friend, the gentleman from Illinois [Mr. LIPINSKI], and in support of the amendment offered by the gentleman from Virginia [Mr. BATEMAN].

In my judgment, Mr. Chairman, the allocation formula of the gentleman from Illinois would virtually wipe out in less than a year almost half of the State clean water programs in this program. Maryland would lose money under this formula, but as many of us here have discussed in the last few minutes, it is not the focus of one State versus another State. We are not in competition. If we are in a mode to understand the necessity for watershed management for clean water, where a number of States in a particular watershed have to work together to clean their water, to reduce the problem of nonpoint source pollution, to do all those things that are necessary for States to improve the quality of life for those people, and to have a State revolving loan fund to impact that, the formula of the gentleman from Illinois [Mr. LIPINSKI] does not do that.

In my judgment, under the allocation of the gentleman from Illinois, over 20

States or a third or more of the States with SRF grants would largely be eliminated. The States that gain under the amendment of the gentleman from Illinois [Mr. LIPINSKI] would still gain under the committee bill and under the gentleman's amendment, they just would not gain as much.

To be fair to the many States that may potentially lose large portions of their programs, this amendment should be defeated. I encourage Members to vote for the Bateman amendment.

Mr. BORSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Lipinski amendment and in opposition to the Bateman amendment.

Mr. LIPINSKI. Mr. Chairman, will the gentleman yield?

Mr. BORSKI. I am happy to yield to the gentleman from Illinois.

Mr. LIPINSKI. I thank my good friend from Pennsylvania for yielding to me.

First of all, Mr. Chairman, I have failed to mention the fact that I think that during the course of the subcommittee markup, full committee markup, and here on the House floor, with a bill that is very controversial, because people have very strong opinions, that the gentleman from Pennsylvania [Mr. SHUSTER], chairman of the Committee on Public Works and Transportation, has done an outstanding job. I have said this on other occasions, and I want to say it once again.

I would also like to jump back just for a moment to my friend, the gentleman from Virginia [Mr. BATEMAN], because it pains me to be up here opposing him when, as I say, in the last 2 years we worked so diligently on attempting to save the U.S. merchant marine.

However, I have to say that the Bateman substitute suffers from the same defects as the ones in the bill. It uses the same outdated population and needs data to apportion SRF money to finance construction of wastewater facilities. The result is a formula that bears no resemblance to the clean water needs we face today. Thus, it will not help us prepare for the environmental challenges we will be facing in the near future.

The phase-in period is also problematical. It simply means that we have to wait another 4 years to get 20 percent of the adjustment we need to reflect current and future needs. We have waited a long time to update the wastewater SRF formula. We should not have to wait another 4 years to get another 20 percent of the changes in the current data showing that we need it now. For the sake of getting the most efficient allocation of resources, of getting the most bang for our buck, we should defeat the substitute, and we should support the Lipinski amendment.

One last time, I simply want to say that if Members are from the following States, and there are 299 Members from the following States, if you are from these States, defeat the Bateman amendment, support the Lipinski amendment, and these States will gain close to $1 trillion: Arizona, California, Connecticut, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Massachusetts, New Jersey, New York, North Carolina, Oregon, Pennsylvania, Tennessee, Texas, Virginia, Washington, and West Virginia.

Mr. BORSKI. Mr. Chairman, I thank the gentleman and congratulate him on his amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. BATEMAN] as a substitute for the amendment offered by the gentleman from Illinois [Mr. LIPINSKI].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. SHUSTER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to the provisions of clause 2(c) of rule XXIII, the Chair announces that he may reduce to not less than 5 minutes the period of time within which a rollcall vote may be taken without intervening business on the amendment offered by the gentleman from Illinois [Mr. LIPINSKI].

The vote was taken by electronic device, and there were—ayes 160, noes 246, not voting 28, as follows:

[Roll No. 327]

AYES—160

Abercrombie
Allard
Armey
Bachus
Baldacci
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bereuter
Bevill
Bliley
Blute
Boehlert
Bonilla
Bonior
Brewster
Browder
Brown (OH)
Callahan
Camp
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clinger
Clyburn
Coburn
Collins (MI)
Combest
Cramer
Crapo
Cremeans
Cubin
Danner
Davis
Deal
DeLay
Dickey
Dingell
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Fields (TX)
Ganske
Gekas
Gephardt
Gilchrest
Gillmor
Goodlatte
Goodling
Graham
Greenwood
Gunderson
Gutknecht
Hansen
Hayes
Hefley
Hilliard
Hobson
Hoekstra
Hoke
Hostettler
Hutchinson
Inglis
Johnson (SD)
Kaptur
Kennedy (RI)
Kildee
Kleczka
Klink
Klug
Knollenberg
Largent
Latham
Laughlin
Leach
Levin
Lightfoot
Lincoln
Linder
Longley
Lucas
Luther
McCrery
McDade
McInnis
McIntosh
Mfume
Minge
Mink
Montgomery
Moran
Morella
Neumann
Ney
Nussle
Obey
Orton
Oxley
Parker
Paxon
Payne (VA)
Petri
Pickett
Portman
Pryce
Ramstad
Reed
Regula
Richardson
Rivers
Roth
Sabo
Sanders
Sanford
Sawyer
Schaefer
Schiff
Schroeder
Scott
Sensenbrenner
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Souder
Spence
Spratt
Stenholm
Stokes
Stupak
Talent
Tauzin
Taylor (MS)
Thompson
Thornton
Traficant
Upton
Vento
Volkmer
Vucanovich
Waldholtz
Walker
Wicker
Wolf
Young (AK)
Zeliff

NOES—246

Ackerman
Andrews
Archer
Baesler
Baker (CA)
Ballenger
Becerra
Beilenson
Bentsen
Berman
Bilbray
Bilirakis
Bishop
Boehner
Borski
Brown (CA)
Brown (FL)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Calvert
Canady
Chapman
Chrysler
Clayton
Clement
Coble
Coleman
Collins (GA)
Condit
Conyers
Cooley
Costello
Coyne
Crane
Cunningham
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Durbin
Edwards
Engel
Eshoo
Evans
Ewing
Farr
Fawell
Fazio
Fields (LA)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Geren
Gibbons
Gilman
Gonzalez
Gordon
Goss
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Heineman
Herger
Hilleary
Hinchey
Holden
Horn
Houghton
Hunter
Hyde
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kelly
Kennedy (MA)
Kennelly
Kim
King
Kingston
Kolbe
LaFalce
LaHood
Lantos
LaTourette
Lazio
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McHale
McHugh
McKeon
McKinney
McNulty
Meehan
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Mineta
Molinari
Moorhead
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Norwood
Oberstar
Olver
Owens
Packard
Pallone
Payne (NJ)
Pelosi
Pombo
Pomeroy
Porter
Poshard
Quillen
Quinn
Radanovich
Rahall
Rangel
Reynolds
Riggs
Roberts
Roemer
Rohrabacher
Ros-Lehtinen
Rose
Roukema
Roybal-Allard
Royce
Rush
Salmon
Saxton
Scarborough
Schumer
Seastrand
Serrano
Shadegg
Shaw
Shays
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Stark
Stearns
Stockman
Studds
Stump
Tate
Taylor (NC)
Tejeda
Thomas
Thornberry
Thurman
Tiahrt
Torkildsen
Torricelli
Towns
Tucker
Velazquez
Visclosky
Walsh
Wamp
Ward
Waters

Watt (NC)	Whitfield	Wyden
Waxman	Williams	Wynn
Weldon (FL)	Wilson	Yates
Weller	Wise	Young (FL)
White	Woolsey	Zimmer

NOT VOTING—28

Baker (LA)	Hefner	Pastor
Bono	Hoyer	Peterson (FL)
Boucher	Istook	Peterson (MN)
Collins (IL)	Kasich	Rogers
Cox	McDermott	Tanner
Dornan	Meek	Torres
Dunn	Miller (CA)	Watts (OK)
Fattah	Moakley	Weldon (PA)
Gejdenson	Mollohan	
Hancock	Ortiz	

□ 1122

The Clerk announced the following pair:

On the vote:

Mr. Watts of Oklahoma for, with Mr. Bono against.

Mr. SOLOMON, Ms. PELOSI, and Messrs. STOCKMAN, PACKARD, NEAL of Massachusetts, ROYCE, CUNNINGHAM, DICKS, GALLEGLY, BUYER, FRELINGHUYSEN, LAZIO of New York, SMITH of Texas, TIAHRT, TORKILDSEN, KIM, and QUINN changed their vote from "aye" to "no."

Messrs. ARMEY, GEKAS, LIGHTFOOT, DEAL of Georgia, NEY, CREMEANS, SABO, BALDACCI, and HOBSON, Mrs. SCHROEDER, Messrs. GEPHARDT, HEFLEY, EHLERS, and GANSKE, Mrs. MINK of Hawaii, Messrs. MFUME, BARCIA, and CLAY, Ms. KAPTUR, Messrs. EHRLICH, STUPAK, TAUZIN, BONIOR, GUTKNECHT, and RICHARDSON, and Miss COLLINS of Michigan changed their vote from "no" to "aye."

So the amendment offered as a substitute for the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. PORTER. Mr. Chairman, I was in conference with Senators on the Senate side on the rescission bill and did not hear the bells nor realize a vote was being taken on rollcall No. 327. Had I been present and voting, I would have voted "aye."

PERSONAL EXPLANATION

Mr. HOYER. Mr. Chairman, I was unavoidably absent on rollcall 327. Had I been present, I would have voted "aye."

I was unavoidably absent on rollcall 328. Had I been present, I would have voted "no."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. LIPINSKI].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. LIPINSKI. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 247, noes 154, not voting 33, as follows:

[Roll No. 328]

AYES—247

Ackerman	Frisa	Murtha
Andrews	Frost	Myers
Archer	Funderburk	Myrick
Baesler	Furse	Nadler
Ballenger	Gallegly	Neal
Barr	Gibbons	Nethercutt
Barton	Gilman	Norwood
Bateman	Gonzalez	Olver
Becerra	Goodlatte	Owens
Beilenson	Gordon	Packard
Bentsen	Goss	Pallone
Berman	Green	Paxon
Bilbray	Gutierrez	Payne (NJ)
Bilirakis	Hamilton	Payne (VA)
Bishop	Harman	Pelosi
Bliley	Hastert	Pickett
Boehlert	Hastings (FL)	Pombo
Borski	Hastings (WA)	Poshard
Brown (CA)	Hayworth	Quinn
Brown (FL)	Heineman	Rahall
Brownback	Herger	Rangel
Bryant (TN)	Hilleary	Reynolds
Bryant (TX)	Hinchey	Riggs
Bunn	Holden	Roemer
Bunning	Hostettler	Rohrabacher
Burr	Houghton	Ros-Lehtinen
Burton	Hunter	Rose
Buyer	Hyde	Roukema
Calvert	Jackson-Lee	Roybal-Allard
Canady	Jacobs	Royce
Chambliss	Jefferson	Rush
Chapman	Johnson (CT)	Salmon
Clayton	Johnson, E. B.	Saxton
Clement	Johnston	Scarborough
Clinger	Jones	Schumer
Coble	Kanjorski	Scott
Coleman	Kelly	Seastrand
Collins (GA)	Kennedy (MA)	Serrano
Condit	Kennelly	Shadegg
Conyers	Kim	Shaw
Cooley	King	Shays
Costello	Kingston	Sisisky
Coyne	Klink	Slaughter
Crane	Kolbe	Smith (NJ)
Cunningham	LaFalce	Smith (TX)
Davis	LaHood	Smith (WA)
de la Garza	Lantos	Solomon
Deal	Lazio	Souder
DeFazio	Lewis (CA)	Stark
DeLauro	Lewis (GA)	Stearns
Dellums	Lewis (KY)	Stockman
Deutsch	Lipinski	Studds
Diaz-Balart	LoBiondo	Stump
Dicks	Lofgren	Tate
Dixon	Lowey	Tauzin
Doggett	Maloney	Taylor (NC)
Dooley	Manton	Tejeda
Doolittle	Manzullo	Thomas
Doyle	Markey	Thurman
Dreier	Martinez	Torkildsen
Durbin	Martini	Torricelli
Edwards	Mascara	Towns
Engel	Matsui	Tucker
Eshoo	McCollum	Velazquez
Evans	McDade	Visclosky
Ewing	McDermott	Walsh
Farr	McHale	Ward
Fawell	McHugh	Watt (NC)
Fazio	McIntosh	Waxman
Fields (LA)	McKeon	Weldon (FL)
Filner	McKinney	Weller
Flake	McNulty	White
Flanagan	Meehan	Whitfield
Foglietta	Menendez	Wilson
Foley	Metcalf	Wise
Forbes	Meyers	Wolf
Ford	Mfume	Woolsey
Fowler	Mica	Wyden
Fox	Miller (FL)	Yates
Frank (MA)	Mineta	Young (FL)
Franks (CT)	Molinari	Zimmer
Franks (NJ)	Moorhead	
Frelinghuysen	Moran	

NOES—154

Abercrombie	Barrett (NE)	Boehner
Allard	Barrett (WI)	Bonilla
Armey	Bartlett	Bonior
Bachus	Bass	Brewster
Baker (CA)	Bereuter	Browder
Baldacci	Bevill	Brown (OH)
Barcia	Blute	Callahan
Camp	Hoekstra	Ramstad
Cardin	Hoke	Reed
Castle	Horn	Regula
Chabot	Hutchinson	Richardson
Chenoweth	Inglis	Rivers
Christensen	Johnson (SD)	Roberts
Chrysler	Johnson, Sam	Roth
Clay	Kaptur	Sabo
Clyburn	Kennedy (RI)	Sanders
Coburn	Kildee	Sanford
Collins (MI)	Kleczka	Sawyer
Combest	Klug	Schaefer
Cramer	Knollenberg	Schiff
Crapo	Largent	Schroeder
Cremeans	Latham	Sensenbrenner
Cubin	LaTourette	Shuster
Danner	Laughlin	Skaggs
DeLay	Leach	Skelton
Dingell	Levin	Smith (MI)
Duncan	Lightfoot	Spence
Ehlers	Lincoln	Spratt
Ehrlich	Linder	Stenholm
Emerson	Longley	Stokes
English	Lucas	Stupak
Ensign	Luther	Talent
Everett	McCarthy	Taylor (MS)
Fields (TX)	McCrery	Thompson
Ganske	McInnis	Thornberry
Gekas	Minge	Thornton
Gephardt	Mink	Tiahrt
Geren	Montgomery	Traficant
Gilchrest	Morella	Upton
Gillmor	Neumann	Vento
Goodling	Ney	Volkmer
Graham	Nussle	Vucanovich
Greenwood	Oberstar	Waldholtz
Gunderson	Orton	Walker
Gutknecht	Oxley	Wamp
Hall (OH)	Parker	Wicker
Hall (TX)	Petri	Williams
Hansen	Pomeroy	Wynn
Hayes	Portman	Young (AK)
Hefley	Pryce	Zeliff
Hilliard	Quillen	
Hobson	Radanovich	

NOT VOTING—33

Baker (LA)	Hefner	Pastor
Bono	Hoyer	Peterson (FL)
Boucher	Istook	Peterson (MN)
Collins (IL)	Kasich	Porter
Cox	Livingston	Rogers
Dickey	Meek	Skeen
Dornan	Miller (CA)	Tanner
Dunn	Moakley	Torres
Fattah	Mollohan	Waters
Gejdenson	Obey	Watts (OK)
Hancock	Ortiz	Weldon (PA)

□ 1130

Mr. HILLEARY and Mr. McDERMOTT changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there further amendments to title VI?

AMENDMENT OFFERED BY MR. LARGENT

Mr. LARGENT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. LARGENT: Page 232, strike lines 13 through 17 and insert the following:

"(7) $2,250,000,000 for fiscal year 1996;

"(8) $2,300,000,000 for fiscal year 1997;

"(9) $2,300,000,000 for fiscal year 1998;

"(10) $2,300,000,000 for fiscal year 1999; and

"(11) $2,300,000,000 for fiscal year 2000.".

Page 232, strike line 18 and all that follows through line 20 on page 234.

Conform the table of contents of the bill accordingly.

Page 32, line 6, strike "$3,000,000,000" and insert "2,250,000,000".

The CHAIRMAN. The Chair notes the gentleman from Oklahoma has an amendment which, in part, references title II. It will be necessary for the gentleman to ask for unanimous consent in order to have consideration of the part of his amendment which affects title II.

Mr. MINETA. Mr. Chairman, reserving the right to object, can we get a further explanation of that portion of it in terms of its relationship to title II?

Mr. LARGENT. Mr. Chairman, will the gentleman yield?

Mr. MINETA. Further reserving the right to object, I yield to the gentleman from Oklahoma.

Mr. LARGENT. Mr. Chairman, does the Chair wish me to address the concern of our colleague, the gentleman from California, or address the amendment?

The CHAIRMAN. The Chair believes the gentleman from California has yielded to the gentleman from Oklahoma in pursuit of a question for further explanation of that part of the amendment offered by the gentleman from Oklahoma that affects or impacts title II. The Chair would reference the gentleman to the last two lines of the amendment.

Mr. LARGENT. Mr. Chairman, I would note that it is a conforming change, and we would ask that the last line be stricken.

Mr. MINETA. Mr. Chairman, if I might, I was just wanting to hear the explanation. I have no objection to what the gentleman is doing. I just wanted an explanation on the title II portion of it, and I appreciate that very, very much.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Without objection, the original amendment will be considered.

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. LARGENT] for 5 minutes in support of his amendment.

Mr. LARGENT. Mr. Chairman, I rise today to conform the water infrastructure authorizations in H.R. 961, the Clean Water Amendments of 1995, to the House budget resolution passed earlier yesterday morning.

H.R. 961 currently authorizes roughly $3 billion annually for water infrastructure programs and capitalization of water quality State revolving funds. While these are laudable programs and the States do have an important unmet clean water need, the bill's authorization total is too high. The bills' fiscal year 1996 total of $3.05 billion is just over $750 million more than the $2.3 billion included in the House budget resolution passed by the Committee on the Budget.

While my amendment represents a 25-percent reduction in H.R. 961, water infrastructure authorization, it still maintains the bill's authorization levels above the President's request of $1.87 billion for fiscal year 1996.

Specifically, my amendment will eliminate the new nonpoint source State revolving fund capitalization program. This new program was not requested by the President and could cost up to $500 million a year. The program is redundant, since H.R. 961 allows moneys from the current State revolving fund program to be used for nonpoint source projects.

My amendment further reduces the State revolving authorization from $2.5 billion annually to $2.25 billion in fiscal year 1996. That total is increased to $2.3 billion in fiscal years 1997 through 2000.

My amendment will make a good bill better. The amendment is fiscally sound, while allowing the States to receive funding they need for water infrastructure.

Mr. Chairman, I would also like to include a letter that was written to the chairman, Chairman SHUSTER. This is from the Association of State and Interstate Water Pollution Control Administrators, the folks responsible with the State revolving fund. It is their strong recommendation, in fact, I will quote:

It is the strong position of the Association that the existing State revolving fund should be the mechanism for infrastructure financing in the future, and that single-purpose grants like the nonpoint source revolving fund should not be created, that the new nonpoint source State revolving fund duplicates existing authority and is unnecessary, that it would require duplication of administrative effort and financial resources, it limits gubernatorial flexibility, that it does not currently provide for the level of flexibility provided under the existing SRF,

And, again, finally, it is their basic position the Clean Water Act project-level technical and financial assistance should be consolidated rather then fragmented under the existing State revolving fund, and, therefore, they conclude, "We are not in a position to be supportive of this provision that is included in the Clean Water authorization."

ASSOCIATION OF STATE AND INTERSTATE WATER POLLUTION CONTROL ADMINISTRATORS,

Washington, DC, May 9, 1995.

Hon. BUD SHUSTER,

Chairman, Committee on Transportation and Infrastructure, U.S. House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SHUSTER: As was requested by the Committee, the Association has reviewed the provision to create a State Revolving Fund for non-point sources and provides the following comments. Please be aware that, for the most part, these comments have been shared personally with Chairman Boehlert (in advance of the full committee mark-up) and some items were addressed at that time.

1. It is the strong position of the Association that the existing SRF should be the mechanism for infrastructure financing in the future. Subsidies/single purpose grants or SRF's should not be created.

2. This NPS/SRF duplicates existing authority and is unnecessary inasmuch as non-point sources are already eligible under the current program and non-point source projects are currently being funded by states.

3. The NPS/SRF would require some duplication of administrative effort and financial resources to establish and maintain. Again, this is an unnecessary expenditure, because currently, authority allows for non-point source loans.

4. The NPS/SRF limits gubernatorial flexibility by targeting State funds to a particular problem rather than the overall goals of the Act—as determined by a State.

5. The NPS/SRF does not currently provide for the level of flexibility provided by the existing SRF, (i.e., the negative interest options). Therefore, it is our understanding that NPS loan recipients cannot benefit from reduced paybacks.

6. It is our understanding that the Tax Act places a restriction on the percentage (e.g. 10%) of an SRF that can be provided to an individual or private sector entity when tax exempt bonds are used to leverage or secure the State match. As the NPS/SRF is specifically targeted to individuals/farmers, this Tax Act restriction applies. Hence, it is likely that only 10% of the total fund could be utilized in some States.

The ASIWPCA appreciates Chairman Boehlert's interest in placing higher priority on non-point source pollution. Also, ASIWPCA supports efforts, (within the context of the existing SRF), to address these diffuse sources. However, our basic position is that all Clean Water Act project-level technical and financial assistance should be consolidated—rather than fragmented—under the existing SRF. Therefore, we are not in a position to be supportive of this provision.

We hope that these comments are useful to the committee.

Sincerely,

BRUCE BAKER,
President.

Mr. MINETA. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I must strongly oppose the gentleman's amendment.

We are all concerned about the budget and the Federal deficit. However, we cannot ignore the needs of our cities and States, and the bill before us is already inadequate to fully meet such needs.

Current estimates of the needs of cities and States to meet water quality goals under the Clean Water Act are placed at $137 billion over the next 20 years. Even at $3 billion per year as provided in the bill, we will not be able to provide as much assistance to cities and States as I would prefer. Further reducing the amount will only delay achieving desired water quality.

One of the recurring themes of the debate on this legislation has been the need to reduce unfunded mandates upon cities and States. Further reducing the authorized funding will not help in reducing unfunded mandates, it will only make matters worse.

The $137 billion in needs which the cities and States have identified are

real needs, and those needs will continue even if this bill were to become law.

I would also like to point out to my colleagues, that the cuts in assistance to states and cities are even greater than they might appear. These Federal grants are for capitalization of State revolving loan funds—the money is used over and over in providing assistance to localities.

Over 20 years, these funds will be used three times. Therefore, a $3.5 billion reduction over the life of this bill will actually be a reduction of over $10 billion in assistance to States and cities.

Few of our Federal investments yield such a high return. We receive improved water quality, and the funds will be available in perpetuity.

The final point I will make in opposition to the Largent amendment is that while I appreciate the efforts of the Budget Committee in developing spending assumptions, it is a function of the authorizing and appropriating committees to determine final funding levels for individual programs. This amendment presupposes the results of that process. And, it presupposes the results of that process even before the budget resolution has been considered by the House.

Should the final budget resolution require reconciliation legislation or reduced levels of appropriations, then the House and appropriate committees can consider those options at that time. However, I believe that we would be doing a great disservice to the interests of the cities and States if we should choose to reduce the authorization levels in the bill at this time.

Mr. Chairman, I urge the rejection of this amendment. We should allow the budget and appropriations process to work their course, and we should do our best to aid cities and States.

Mr. SHUSTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to be able to support our full authorization that we brought to the floor. I would like to be able to support it because the needs for clean water far exceed the authorization which is in this bill.

However, I am extremely cognizant of the extraordinary budget pressures this Congress faces. The general fund budget must be brought under control.

So, for that reason, with some reluctance, I nevertheless must support the amendment which we have before us today, and perhaps most importantly, I think we should focus on the reality that in the last Congress the actual appropriation for this program was $2.3 billion.

The gentleman from Oklahoma [Mr. LARGENT] brings to the floor today a reduction which will nevertheless this coming year leave that authorization at $2.6 billion, or $300 million more than the reality of the actual appropriation which we saw last year. So considering the pressures we have on the budget, considering the reality of what the actual appropriations have been, and also recognizing the extraordinary needs that we have for clean water, I would urge support of the Largent amendment.

Mr. BORSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wish to express my opposition to this amendment that will continue the trend of reducing the investment in our Nation's infrastructure.

The authorization levels in the committee bill show a commitment to continuing the program of investment that has existed for 20 years. This investment has been crucial to the success of our efforts to clean up the Nation's waters.

Last year, as chairman of the Subcommittee on Investigations and Oversight, I chaired a series of hearings that examined the need for more capital investment in this Nation.

We found that the Nation's needs for investment in wastewater treatment are continuing to increase.

The Environmental Protection Agency estimates the Nation's total investment needs in wastewater treatment to be almost $140 billion.

It is estimated that an additional $6 billion a year is needed to meet our needs.

One report by a respected infrastructure consulting firm estimated that we will have a $62 billion shortfall in our investment in wastewater treatment by the end of the decade.

Mr. Chairman, I do not believe reducing the authorization levels in H.R. 961 is the way to meet our Nation's pressing water pollution problems.

The State Revolving Loan Fund Program has been a shining success in the area of innovative financing on a cooperative Federal and State basis.

The States contribute their share and then control the funds as they are recycled.

Many other infrastructure initiatives have been looking to the Clean Water Act as a model for their own areas.

We should not be attempting to curtail these programs but enhancing them as a way of solving our urgent water pollution problems.

Adoption of this amendment would be another setback in our attempt to clean up our Nation's waters. I urge its defeat.

□ 1145

The States contribute their share and then control the funds as they are recycled. Many other infrastructure initiatives have been looking to the Clean Water Act as a model for their own areas. We should not be attempting to curtail these programs, but enhancing them as a way of solving our urgent water pollution problems. Adoption of this amendment would be another setback in our attempt to clean up our Nation's waters.

Mr. Chairman, I would also make a note for those who are concerned most about unfunded mandates. If this amendment were to pass, we would give our States, and cities and localities more of an unfunded mandate to meet their needs. I urge defeat of the amendment.

Mr. OBERSTAR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this amendment goes to the heart of the ability of cities to meet their obligations to clean up the Nation's waterways. At the very start of the Clean Water Act in 1956, my predecessor, John Plotnik, took on the daunting task, and then formidable and incredible task, of crafting legislation to clean up the Nation's waterways which are in a despicable state. He recognized that at the end of all the laws and all the discussions we have to have funds to cities and States to build sewage treatment plants to clean up their effluent, an incentive. A partnership was struck between the Federal Government, and municipalities and the States, and that partnership has grown, and it has worked extraordinarily well.

Over the years of construction, of the construction grant program for the Federal water pollution control program, municipalities have used, in combination with Federal funds, some $75 billion to clean up point sources of discharge. And industry has spent in the range of $130 billion to clean up their responsibility. Together over $205 billion spent in the last 25 years on cleaning up point source discharges to help clean up America's waterways. Most municipalities of large size meet secondary treatment standards, but the unmet needs and the most recent EPA surveys show $137 billion in needs by municipalities to build sewage treatment facilities to clean up those discharges. Talk will not clean them up. Talk will not take sewage out of the Nation's waterways. Treatment facilities do, and that costs money.

Now several years ago we eliminated the construction grant program and replaced it with a revolving loan fund that shifted significantly greater costs to municipalities for their responsibility in what is essentially a Federal problem: Rivers run between States; that is a Federal responsibility. We have a partnership to carry out with them. We said no more grants, loans, that it is going to cost more, and now what the gentleman's amendment would do is for each State cut roughly one-quarter of the funding available to them to help municipalities to do the job of cleaning, continue the job of cleaning up, discharges into lakes and streams.

Shifting of burden on to State and local governments is not the direction that we ought to go in the clean water program. It will take longer to achieve the Clean Water Act goals. It will take longer to address the incredibly complex problem of separating combined storm and sanitary sewers in this country. The CSO, the combined sewer overflow, problem continues to grow as we urbanize America, and less water is soaked up by wetlands, and goes directly into sewers, and causes more sewage to go into the Nation's waterways. We need to stay on track with the construction of sewage treatment facilities.

I wish we did have a construction grant program. We now have this revolving loan program. I say to my colleagues, Don't make it more burdensome for local governments to meet their responsibilities to continue with the task of cleaning up their discharges into the Nation's waterways. Make it a real partnership.

The funding in the bill that the committee has reported is in my judgment modest. It is less than what we need to achieve our goals. But it is a responsible figure. We should not cut below that number.

Defeat the Largent amendment.

Mr. MINETA. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from California.

Mr. MINETA. Mr. Chairman, I would like to just mention for the benefit of all the Members so that they understand where we are. We have just voted overwhelmingly to accept the Lipinski amendment so that our cities and States would be able to get the needed funds in order to meet the clean water needs of the cities and States across the country. It appears now this amendment would take away some $700 million in fiscal year 1996 for our cities and States and some $3.5 billion over the 5-year period, and so it seems to me, if our colleagues voted "yes" on the Lipinski amendment, then they should be voting "no" in very strong numbers again on the Largent amendment.

Mr. SHUSTER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. OBERSTAR] has expired.

(On request of Mr. SHUSTER and by unanimous consent, Mr. OBERSTAR was allowed to proceed for 1 additional minute.)

Mr. SHUSTER. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, I simply point out to my friends that under the Largent amendment, even with the cuts, the State revolving fund under the Largent amendment would still be very substantially higher than the appropriation requested by the Clinton administration. Under the Largent amendment the State revolving fund would be $2.3 billion. The administration has only requested $1.6 billion, and so we still would be above the administration.

Mr. OBERSTAR. I make no apologies for the administration proposal. I think it is grossly inadequate. But I think the committee bill, which the chairman has reported out, is on target, it is responsible, it is less than, I think, what we need, but I think in today's budget climate it is an appropriate number, and we ought not to undercut the good work the committee has done.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, most of the Members know that the gentleman from Oklahoma [Mr. LARGENT] is not only an NFL Hall of Famer, but he is a very caring Hall of Famer here in this body. But I would like the people that are thinking about supporting the amendment, and I reluctantly rise in opposition to the gentleman's amendment, and I have a couple of concerns, but, first of all, yesterday we had a bill that would have placed on DOD an unfunded mandate that would have cost billions of dollars when it was proven that those DOD facilities, both the surface and the shore based, complied better, all put together, than individual ones, and that was an unfunded mandate, and I did not support that as well.

I also believe in the authorization level in the committee mark that is thoughtful in the process. And I know that the mention of the Clinton budget. I do not imagine the President realized at the time of that budget that we were going to take a look and reauthorize the Clean Water Act as much as we are today.

I also made a statement earlier that Members on both sides of the aisle have reacted in ways that, because of extremes on both sides, those that want to concrete the world and pollute, and yet those on the other side from the environmental groups that have used it as a weapon, and somewhere in between we have got to lie, but if we give this to the States, we have got to give them the right and the power to do what we are asking them to do, and I think the committee mark is adequate.

I look in San Diego. If we treat secondary water in our sewage problem, it would cost us between $8 to $12 billion just for the city of San Diego in a waiver process. If we look at the Tijuana River that comes out of Mexico, that is why our beaches are fouled, and we need support in that, and the State cannot do it by itself.

So reluctantly I rise in opposition to my friend's amendment, and I ask my colleagues to think twice before they degrade the amount in the level.

Mr. BOEHLERT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am somewhat perplexed as I face this issue, and it probably is the plight of a moderate. I can appreciate what the chairman is trying to do to get to a lower figure to reflect the everyday realities, the fiscal realities, we have now, and I can support that. But I cannot support eliminating section 606, the State nonpoint-source water pollution control revolving funds, for a very basis reason.

We have constantly preached to American agriculture that we want them to identify with the problem and be part of the solution, and quite frankly American agriculture is justified when they come back to us and say, "Quit giving us the sanctimonious sermon. How about a little financial assistance? You want us to do things that are going to cost money. We don't have the money. How about helping us out?"

I think that is a legitimate request.

So during the committee deliberations we debated long and hard on establishing a separate State nonpoint-source pollution revolving fund to the tune of $500 million. Give to the States the flexibility to use those funds to address the problem of nonpoint-source pollution, however, if there is a much higher priority and they want to use those funds for wastewater treatment plants, they can do so. So what we have said to the States and to agriculture is simply this:

"We have heard your pleas. On the one hand the States want flexibility. On the other hand agriculture wants some financial assistance." So we say we will accommodate both of those requests by setting up section 606, the nonpoint-source pollution revolving loan fund.

Now with this amendment cutting back, and I understand the need to cut back; I am very sympathetic to what the ranking member has said and the chairman of the full committee has said. We know full well the legitimate needs that are out there all across America. It would take $130 billion if we are going to pass the funding right now as the gentleman from Minnesota [Mr. OBERSTAR] has so eloquently stated, but we do not have that money.

So we have to deal with the situation, not as we would like it, but as we are faced with it. So what I want to do is ask the author of the amendment if he is sympathetic to my basic request that we retain the section 606, State nonpoint-source pollution revolving fund, and if he would accept a perfecting amendment which would allow us to do so. Then when that is incorporated into his amendment, we can then go on to vote on the amendment as perfected, and everyone can vote as they best see fit.

Mr. LARGENT. Mr. Chairman, will the gentleman yield?

Mr. BOEHLERT. I yield to the gentleman from Oklahoma.

Mr. LARGENT. Mr. Chairman, regretfully I would not be wiling to accept that friendly amendment, and let me just say a couple of things, reasons why.

Currently the present funding for the State revolving fund is $1.2 billion. Under this amendment we increase that funding over a billion dollars, where it would be $2.25 billion. Currently the State revolving fund has the flexibility to address nonpoint-source problems, and on top of that I have a letter to the chairman of the Committee on Transportation and Infrastructure from the Cattlemen's Association, the Council of Farmer Cooperatives, the sheep industry and pork producers, the very people that are concerned about nonpoint-source problems, and they say in this letter that the increased funding that we are authorizing under this amendment, that we believe that this provides adequate authority for States to reorient appropriate portions of the existing, the existing, State revolving fund creatively and aggressively and assisting those who must address nonpoint-source runoff, including provisions that allow modifications to reflect economic need.

And so the reason that I would object to this is that it is running 180 degrees opposite of what I feel like that we are trying to do in the 104th Congress, and that is try to reduce the amount of bureaucracy and creating any structures within the Clean Water Act.

□ 1200

Mr. BOEHLERT. Mr. Chairman, reclaiming my time, that is unfortunate, because the fact of the matter is what I am suggesting will not add $1, not $1, to the bottom-line amount. But what it will add is flexibility for the Governors, and what it will do is guarantee for the first time that America's farmers have a source to apply to receive some assistance to follow through with instilling best management practices, doing the type of things that they want to do.

The CHAIRMAN. The time of the gentleman from New York [Mr. BOEHLERT] has expired.

(By unanimous consent, Mr. BOEHLERT was allowed to proceed for 3 additional minutes.)

Mr. BOEHLERT. Mr. Chairman, I have found repeatedly that America's farmers are among the best stewards of our land. They drink the water that we drink, they breathe the air that we breathe. They want to be responsible, but they lack the resources. And, very honestly, and I think everyone here will admit that under the present State revolving fund program, not one dime goes to American farmers to give them a helping hand.

I want to guarantee that they know that there is a source of money that is fenced off for them. They can apply for it, they can use it. They can help be part of the solution. That is what they want to do.

But, as I said earlier, the farmers of America are tired of our sanctimonious sermons coming from Washington, on this great Hill, the citadel of freedom, telling them very pompously, "We want you to be part of the solution. But, incidently, we are not going to give you any money to solve the problem." That is not responsible.

So I fail to see why my distinguished colleague from Oklahoma would not accept the perfecting amendment that does not add one penny to the total bottom-line amount. Not one penny. It just says for the first time, after this great deliberation in our Committee on Transportation and Infrastructure, after I worked hand in glove with the chairman to develop something that was going to be meaningful. And it passed with not one dissenting vote. Nobody voted against it. Every single member of that committee, Democrat, Republican; liberal, conservative; supported the Boehlert amendment, because they said you are right, we have got to do something to recognize the problem, and we have got to do it with more than just words and good intentions.

The CHAIRMAN. The time of the gentleman from New York [Mr. BOEHLERT] has again expired.

(By unanimous consent, Mr. BOEHLERT was allowed to proceed for 2 additional minutes.)

Mr. BOEHLERT. Mr. Chairman, I want my colleagues to know one of the reasons I am proceeding is we are trying to draft the language for the perfecting amendment, so we can all appreciate that sometimes takes a little time. We have got great scholars and wizards in the back room doing that.

But the fact of the matter is, Mr. Chairman, Mr. LATHAM was here on the floor, my good and distinguished colleague and great friend from Iowa telling us of the problems of American agriculture. I serve as the chair of the Subcommittee on Water, Resources, and the Environment. We had a hearing in upstate Utica, NY, on this very subject, exclusively devoted to that subject of nonpoint-source pollution.

We have talked to agriculture. Agriculture likes this initiative. They want us to get it in part of the final language, and so do I. So I know nobody, that, really sincerely, when they evaluate all the facts of this, would argue that we should turn our backs on American farmers. I am not going to do so.

I am privileged to serve as chair of the Northeast Agriculture Caucus. In that capacity I work with my colleagues from both sides of the aisle to listen to America's farmers, to work with them. I want to help them, and the perfecting amendment I am suggesting would be very much in order and would help them.

AMENDMENT OFFERED BY MR. BOEHLERT TO THE AMENDMENT OFFERED BY MR. LARGENT

Mr. BOEHLERT. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Oklahoma [Mr. LARGENT].

The Clerk read as follows:

Amendment offered by Mr. BOEHLERT to the amendment offered by Mr. LARGENT: Strike that portion of the amendment which strikes line 18 on page 232 and all that follows, through line 20 on page 234.

Mr. BOEHLERT. Mr. Chairman, I would ask the gentleman from Oklahoma [Mr. LARGENT] once again, now that he has had a chance to reflect upon this, if he might see a different perspective to it; and, as the gentleman approaches the podium, I want to remind him, we are not adding one penny to the bottom line.

What we are adding is something the gentleman has fought vigorously for, as you have campaigned, and I welcome you here to be part of the new majority, you said during that campaign you want to return more authority to local government. Boy, I agree with the gentleman 100 percent. The gentleman said during his campaign he wants to cut down as much as possible the Federal spending.

I could not agree more with the gentleman. I, too, want to cut down as much as possible Federal spending. The gentleman has said, and I have said, we want to march together, to go forward, to help American agriculture, and I want to do that.

So I would ask the gentleman if, upon sober reflection, if he has any new insights he would like to share with this distinguished body.

Mr. LARGENT. Mr. Chairman, will the gentleman yield?

Mr. BOEHLERT. I yield to the gentleman from Oklahoma.

Mr. LARGENT. Mr. Chairman, I would just say that I have not seen the amendment yet. I look forward to reading it here in just a second. But I would just say that in my mind what I see this doing is what the gentleman is saying, is that we are not asking for one additional penny. But what the gentleman would do with his amendment is simply add another drawer in the already full kitchen of the Federal Government. We will not put any money in there right now, but that drawer will still be there.

Mr. BOEHLERT. Mr. Chairman, reclaiming my time, not so; not adding another drawer. It goes to the States. That is what the State revolving fund does. We send the money from Washington to the States. The States administer the State revolving fund. We are saying the same people administer it. Do not hire any more bureaucrats; we have enough of them.

We are saying take that money and sort of put it over to the side, just like

when you sit down and work out the monthly budget at home. You have so much for your mortgage, so much for your car payments, so much for your groceries. If you decide to earmark a specific amount for groceries, you do not go out and add new members to your family. You just sort of move that account over a little bit.

What I am saying is let us demonstrate, colleagues, here on the floor of the House of Representatives, let us demonstrate in very tangible form that we want to work with American agriculture. We want to help America's farmers. Once again, let me repeat, they are the best stewards of the land that I know.

I am privileged to represent a district where agriculture is very important, and I talk to farmers. I can go and talk to a farmer. A typical farmer in upstate New York might be milking 60 or 70 cows, a farmer, wife, maybe a couple of kids. Along comes somebody and says, Mr. Farmer, we are concerned about the quality of water. Guess what the farmer says? So am I.

Then along comes this expert and says we know how to solve part of the problem. We would like you to maybe have a little buffer strip between your land where you are growing crops and where your pasture land is, and the river or stream, or put up a fence, or, maybe even more costly, a little manure management system. It is only going to cost you $10,000. The farmer looks you in the eye and says where in the hell am I going to get $10,000? Money does not come down from Heaven.

We say we have set up a special fund. You can apply to your State government, not Washington, not those bureaucrats down there, but your State government. You can go to them and say here is the best management plan that I have worked out. I accept. I think it makes good sense. It is going to protect my land and your land; it is going to protect our water. Now, I would like to have a low-interest, long-term loan from the State revolving fund to help me do it. I think that makes an awful lot of sense.

Mr. LARGENT. If the gentleman will yield further, I would just say once again that the current State revolving fund is accessible to that farmer in your district as it currently exists right now.

Mr. BOEHLERT. Mr. Chairman, reclaiming my time, let me tell you the everyday practical politics of it. Not one penny has gone to farmers. There are all the pressures on the State capitals and the people administering those fund dollars for funds for wastewater treatment plants. If you have this fund fenced off and they say this is what we collectively have agreed on, the Federal Government, the State government, we think this makes sense, I think it would help a great deal.

Mr. LARGENT. If the gentleman will yield further, I would argue just the opposite, that by creating a special fund that in fact you could eventually limit the amount of money that would be available to those farmers if you depleted that fund and they said you have already used up everything you have got in your special nonpoint source revolving fund, so we are not going to give you any more, as opposed to being able to tap the entire fund.

Mr. BOEHLERT. Mr. Chairman, reclaiming my time, you cannot take anything away from nothing. That is what they are now getting, zero, zip, zilch, nothing. I want to say here is some hope. You might have an opportunity to get something. I think that serves our best interests. It serves the best interests of American agriculture, and I will urge support of my perfecting amendment.

Mr. WISE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I believe I am in support of the gentleman from New York's perfecting amendment, but I really want to go at the overall amendment because I think that is what is crucial here.

The gentleman from Oklahoma's amendment I believe is sincere. He is concerned about deficit reduction and other things. I just think it is the wrong way to go at this time.

I have the opportunity from time to time to be involved in, as we all in this hall do, the dedication and ground breaking ceremonies for sewage treatment facilities, and there is a map that we have in the West Virginia facilities when we preside over these.

There is a map that is provided; there are actually two maps. One has all that has been built, the partnership between the State government, the Federal Government, the local government, and the ratepayers, as well as taxpayers all. That partnership has built $1 billion worth of sewage treatment facilities, wastewater construction projects, in our State. And that is impressive in a small State. That is the map on one side, what has been done.

There is a map on the other side, too, and that shows the many locations that still need to be constructed if it is to meet the goals set by this Congress and to meet commonsense goals of health. What that map shows is that there is at least a $2 billion need.

So that map on one side says $1 billion has been constructed. The map on the other side says there is still $2 billion worth of construction to do. So we look at what the national figures are. Nationally, I hear statistics ranging everywhere from the most conservative of somewhere around 100 to 130 to 150 billion dollars' worth of projects still needing to be done simply to meet existing requirements.

So I ask how are we going to do this? I think it is important to look at the evolution of the State revolving fund. Remember, it was just a few years ago, a dozen years ago, that it was a grant program, and it was authorized for as much as $5 billion. That was imply for point source pollution. Then it was ratcheted down over the years to $2.5 billion. Then it changed from a grant fund gradually to a revolving loan fund that people have to pay back.

So what we have gone from is an outright grant to a revolving loan fund. Incidentally, it is funded at a far lesser rate than $5 billion, roughly $2 billion last year.

Now look at what is in this bill as far as additional demands upon municipal treatment facilities. I supported some of the measures in this bill for additionally flexibility, but I also know that when you per deal with pretreatment of industrial waste, you are going to put additional demands on existing facilities as well as those to be built. Are we now to step back from that commitment as well? Are we to step back from some of the requirements and demands that will be placed upon state and local governments?

I also look at unfunded mandates. A lot of talk around here about that. This legislation does maintain certain mandates in place. Yet would we cut back further on the money that is to go to the State and local governments and the ratepayers themselves to assist in meeting those mandates?

Mr. Chairman, this is really I think prefacing for what will be a much greater discussion that must be conducted in this Congress, but in some ways it is going to be started on some of these seemingly smaller issues.

What role does growth have in our budget process? The effort to balance the budget in 7 years, we all agree on the need for a balanced budget. But the effort to balance that, is it going to restrict the kind of growth that is going to be needed to take place in order to accomplish that?

My feeling is you cannot cut your way out of this mess. You are going to have growth as a solid component. We have legitimate disagreements in here as to what will lead to that growth, but I do not think we ought to be cutting back those very programs that are indeed so necessary.

I had the chance to attend a ground breaking the other day for an industrial part which is guaranteed to create at least 350 jobs and probably as high as 800 jobs. So important to that park was the money necessary for the sewage treatment facilities. They could not have that park without it.

□ 1215

The Federal Government's return on its investment is going to be gotten back entirely within 4 years, based upon taxes that will be paid by the newly working people and so on—4 years. I had a real estate developer,

major developer come up to me afterward and say, If I could get my return back in 4 years on every investment, I would be in hog heaven.

The CHAIRMAN. The time of the gentleman from West Virginia [Mr. WISE] has expired.

(By unanimous consent, Mr. WISE was allowed to proceed for 2 additional minutes.)

Mr. WISE. Mr. Chairman, I ask this body to recognize the important need of investment. Behind every major industrial development project is a need for waste treatment disposal. We are asking the Government, governmental sector, local and State governments and public service districts to take on an increased responsibility along with increased flexibility. This is not the time to be cutting back the authorization for them to do that. It is the time actually to be increasing.

I will not make that argument on the floor today, but I would urge that we not support the amendment of the gentleman from Oklahoma and urge my colleagues to permit the language to continue that is in the bill.

MODIFICATION OF AMENDMENT OFFERED BY MR. BOEHLERT TO THE AMENDMENT OFFERED BY MR. LARGENT

Mr. BOEHLERT. Mr. Chairman, I ask unanimous consent that the amendment to the amendment be modified, in the interest of clarity, so that my colleagues will understand, to strike $2.3 billion each place it appears in the bill and insert $1.8 billion. So what we do, in effect, is retain the section 606 that sets up this nonpoint source pollution revolving fund at $500 million, when added to the $1.8 billion totals the $2.3 billion that the gentleman from Oklahoma [Mr. LARGENT] has set as his ceiling. So that is the perfecting amendment.

I would hope on a bipartisan basis the perfecting amendment can be accepted. Then we could have the vote on the Largent amendment as perfected and everyone can work as they wish.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification of amendment offered by Mr. BOEHLERT to the amendment offered by Mr. LARGENT: Strike "$2,300,000,000" each place it appears and insert "$1,800,000,000".

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. HAYES. Mr. Chairman, reserving the right to object, my understanding of what would occur in that reduction is that all of that would come from the State revolving fund. I vigorously oppose that. I most certainly believe the gentleman has a right to a vote on that, but I certainly could not consent to it under unanimous consent.

Mr. BOEHLERT. Mr. Chairman, will the gentleman yield?

Mr. HAYES. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, what I want my distinguished colleague, the gentleman from Louisiana, to note is that the funds are interchangeable. This gives the flexibility to the State government, the State government agency administering the fund.

As you well know, because you are a student of this, as you well know, presently farmers get zip from the State revolving fund, nothing. We are setting up something that says, We are responsive to your need for financial assistance. We will give the money in a State revolving fund. We will fence off $500 million for non-point-source pollution.

However, in recognition of your legitimate concern, we will give the flexibility to the State. The State can use all of that money for other than non-point-source pollution, if that is its highest priority.

But I would respectfully submit to the gentleman, and that has been pointed out to me by a number of my colleagues from agriculture States, that in many States they have done very will in terms of addressing the problem of waste water treatment plants. They have got what they need. But they need more assistance for non-point-source pollution and they have not had the source.

Mr. HAYES. Mr. Chairman, continuing my reservation of objection, I ask the gentleman, in what manner would that be distributed? Under the formula?

Mr. BOEHLERT. Mr. Chairman, if the gentleman will continue to yield, that would be the same formula as we had for the SRF.

Mr. HAYES. Mr. Chairman, as I say, I do not think that is the appropriate time or moment. I will object to the unanimous consent. I most certainly will not object to furthering our discussion at a different time.

Mr. Chairman, continuing my reservation of objection, I yield to the gentleman from Oklahoma [Mr. LARGENT].

Mr. LARGENT. Mr. Chairman, I remind the gentleman that under the current State revolving funds the States already have the flexibility to address non-point-source matters. So what we are doing is really redundant and provides less flexibility for States, potentially supplies less flexibility.

Mr. HAYES. Mr. Chairman, I do not wish to belabor the point at this time. As I say, it is certainly an appropriate discussion but I feel that I will have to object to the unanimous consent request.

Mr. Chairman, continuing my reservation of objection, I yield to the gentleman from New York [Mr. BOEHLERT].

Mr. BOEHLERT. Mr. Chairman, before the gentleman maintains his objection, you, as a senior member of the committee of jurisdiction, know full well, because we have examined this very thoroughly in long, long hearings, American farmers are not getting one penny out of the State revolving fund to do some of the things that we are suggesting from on high here in Washington they should do to be part of the solution rather than just standing idly by and being perpetuators of the problem. We want to give them a source of money so that they can apply to their State government. We want to give their State government the flexibility that I think you and I would agree they should have to make the decisions at that level.

Louisiana knows what is best for Louisiana, what is good for Louisiana, as does New York know best what is good for New York.

Mr. HAYES. Mr. Chairman, it would be my understanding, I do not want to belabor the point now, but I believe that the agricultural community is opposed to the gentleman's position, as are the cities and States.

Mr. BOEHLERT. Mr. Chairman, if the gentleman will continue to yield, no.

Mr. HAYES. As I say, I think that would be more appropriate perhaps for another moment.

Mr. Chairman, I am simply going to have to object to the unanimous-consent request.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. HAYES. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. GILCHREST. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of my colleague from New York. What I would like to do for the Members, especially for Members who might be from a suburban area or an urban area, is to give them some idea what non-point-source pollution is.

Non-point-source pollution happens in suburbs. It happens in urban areas. It happens in rural areas on agricultural farms.

You have all kinds of farms. You have dairy farms. You have chicken farms. You have grain farms, et cetera. There is a variety of farms. I want to show you what the problems are with non-point-source pollution on farms in any one of these areas.

Most farms, especially if there are cows, chickens, grain farmers, cattle farmers, they have a barn. Somebody said pig, OK. Now we have a barn. Somewhere around a farm generally you are going to have a river or some waterway.

This is the Clean Water Act that we are talking about. We are trying to prevent pollution from a source to get into the water. So what we see here, whether you have pigs, cows, chickens, grain, or whatever, they have manure. So it very often costs money, if you are going to put a manure shed for

composting purposes next to the farm. That composting shed could cost $5,000.

If you have dairy farms and cows, you will have to put a holding area for the cows sometime before you take them in to milk. That holding area is concentrating manure which gradually will get into the ground water unless you build a holding area which prevents the manure from leaving that area. That is about $10,000 on this side.

The other things you need for a farm is fertilizer, pesticides, herbicides. All of these things, if they leach or flow into the waterway, are going to cause a problem with the quality of the water. So what do you need to do to hold those things? You need certain things called waterways, if you have any contour on the land.

A waterway is a grassy area that helps absorb the runoff to prevent the silt or the fertilizer from getting into the ground water into the waterway. You need other things called buffer zones. A buffer zone is a grassy area around the waterway and that, again, prevents the pollution or the silt or a variety of other things from getting into the ground water.

There is something else you need. If you plant corn or wheat or rye or soybean, very often you do not put anything on the ground during the winter months and the nitrogen that you put on the ground in the spring and the summer, unless it is taken up into these plants during the winter months, gets into the ground water so that costs more money.

In essence, for one farm, if this is a dairy farm or a pig farm or a chicken farm or a grain farm, every single farmer, whether they own 10,000 acres or 100 acres, has a certain amount of cost if he is going to prevent non-point-source pollution. And all of this costs money.

Generally speaking, farmers have not gotten enough aid in this area. So I strongly, I am a big football fan and all the rest of that, but I have to rise in strong opposition to the gentleman's amendment.

Mr. HAYES. Mr. Chairman, will the gentleman yield?

Mr. GILCHREST. Mr. Chairman, I yield to the gentleman from Louisiana.

Mr. HAYES. Would the gentleman mind drawing in the five different Federal regulators that are going to be on the farm right after that river was drawn in?

Mr. GILCHREST. First of all, the Federal regulators should be on the farm and talk about possom hunting, then have a cup of coffee and a piece of pie, and the Federal regulators ought to be good neighbors and talk about how we can solve some of these problems, but unless the allocation is there, unless the funding is there, unless the awareness is there that this kind of thing exists, we are not going to stop the greater problem that we have today of non-point-source pollution and help those people who need to be a part of the solution.

Mr. HOKE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I just wanted to point out to the gentleman from Maryland and also the gentleman from New York that we actually have already in Ohio a non-point-source program that has been specifically developed inside the existing law. And it is particularly targeted for ag interests so that farmers can get funding through the revolving loan fund in order to be able to do exactly the kinds of things that you are talking about.

What I am saying is, we do not need to fence off this money inside this bill in order to achieve what you want to do. I cannot see any reason to support the Boehlert amendment when, A, it is possible to do what the gentleman from New York wants to do already; B, it is being done in places like Ohio; and C——

Mr. GILCHREST. Mr. Chairman, will the gentleman yield?

Mr. HOKE. I yield to the gentleman from Maryland.

Mr. GILCHREST. Mr. Chairman, it may be done in places like Ohio, but it is not being done across the Nation. If we are looking at watershed ideas and keeping water going from one State to another State and raising the awareness of non-point-source problems, especially in agriculture, I think the gentleman from New York [Mr. BOEHLERT] has the right idea.

Mr. HOKE. Mr. Chairman, I understand that the gentleman does think that, but clearly the whole argument here and the reason that we are making these changes in this act have to do with giving greater flexibility to the States to be able to do these things.

What I am suggesting to the gentleman is that already in many States, Ohio is not the only one, that flexibility has been utilized in a responsible way.

Last, the other thing I wanted to say about the bill generally, the Largent amendment, is that I sit on the Committee on the Budget. And it strikes me that if we do not undertake the kind of amendment that the gentleman from Oklahoma [Mr. LARGENT] has brought today, then we are just back in the same old routine that we have been in year after year after year.

I frankly do not want to support going through this charade where we have these authorizing bills that have 20, 30, 40, 50 percent more money in them than what the Committee on the Budget has said there will be available to spend and what we know that the appropriators are going to come up with ultimately.

Let us have some honesty, some truth in budgeting. Let us have some truth in legislation in this. This is supported by the chairman. This is the right direction. This is the right way to go.

We ought to have the mark in the authorizing bill match the mark in the Committee on the Budget bill, match the mark that we are finally going to come up with in the Committee on Appropriations. That is crystal clear.

If we do not take this opportunity now to start on that road, then we will play the same old games in the 104th Congress that we have played in all previous Congresses.

□ 1230

Mr. BORSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to ask the distinguished gentleman from New York [Mr. BOEHLERT] if he will engage me in a colloquy.

Mr. Chairman, as I understand it, the Largent amendment would reduce the total funding to $2.3 billion.

Mr. BOEHLERT. Mr. Chairman, will the gentleman yield?

Mr. BORSKI. I yield to the gentleman from New York.

Mr. BOEHLERT. That is my understanding.

Mr. BORSKI. And I would ask the gentleman, what would the Boehlert amendment do? Would that add $500 million to that $2.3 billion?

Mr. BOEHLERT. No, Mr. Chairman, it would not. My perfecting amendment would reduce it to $1.8 billion, and retain the section 606, which is $500 million. Here is what I would suggest we do for the good of the cause.

Mr. Chairman, I ask unanimous consent that I be allowed to withdraw the amendment, so we can continue the discussions between the chairman and the ranking minority member and the subcommittee chair and the ranking minority member of the subcommittee, and try to work this out. I do not think that there is any argument here, that we are trying to do something that demonstrates to American agriculture that we want to set up something that is earmarked specifically for their needs in addressing the problem of non-point-source pollution, but we want to do it in such a way as to permit flexibility for the State Governors and the administrators of the State revolving fund.

I would like to think that we are creative enough to accomplish both worthy objectives.

The CHAIRMAN. Is the gentleman from New York [Mr. BOEHLERT] requesting that his amendment be withdrawn?

Mr. SHUSTER. Mr. Chairman, will the gentleman yield?

Mr. BORSKI. I am happy to yield to the distinguished chairman, the gentleman from Pennsylvania.

Mr. SHUSTER. I thank the gentleman for yielding to me.

Mr. Chairman, I would say to the gentleman from New York [Mr. BOEHLERT] then, so we can move forward on

other provisions here, that one of the suggestions is that he put this in title X, so we may proceed with the amendment before us.

Mr. BOEHLERT. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. BORSKI] yield for that purpose?

Mr. BORSKI. I yield to the gentleman from New York for that purpose.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The request has been granted, and the amendment is withdrawn.

Mr. MINETA. Reserving the right to object, Mr. Chairman, just as a parliamentary inquiry, would this require, then, that the gentleman from New York [Mr. BOEHLERT] go back to title VI if we are to have him withdraw this, and we proceed forward on the bill? Would he have to get unanimous consent to go back to title VI in order to be able to amend, if he is to do this in title X?

Mr. BOEHLERT. Mr. Chairman, if I may amend my unanimous-consent request, the unanimous-consent request is to withdraw this amendment at this point, with authority to revisit title VI for the purpose of this amendment only at a later date.

The CHAIRMAN. The Chair will first state that the amendment has been withdrawn.

Mr. BOEHLERT. With this proviso.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. BOEHLERT] that the gentleman be able to offer an amendment to title VI after it is passed in the reading?

Mr. BOEHLERT. For this specific amendment only.

The CHAIRMAN. For this specific purpose only.

Without objection, it shall be in order for the gentleman from New York [Mr. BOEHLERT] to offer a form of his amendment to title VI at a later time during consideration.

There was no objection.

PARLIAMENTARY INQUIRY

Mr. MINETA. I have a parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. MINETA. Mr. Chairman, at this point is the only issue pending before us the amendment offered by the gentleman from Oklahoma [Mr. LARGENT]?

The CHAIRMAN. That is correct.

Mr. BORSKI. Mr. Chairman, I just want to reiterate my opposition to the Largent amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. LARGENT].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MINETA. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 209, noes 192, not voting 33, as follows:

[Roll No. 329]

AYES—209

Allard
Archer
Armey
Bachus
Baker (CA)
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Canady
Castle
Chabot
Chambliss
Chapman
Christensen
Chrysler
Clinger
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Crane
Crapo
Cubin
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dreier
Duncan
Edwards
Ehrlich
Emerson
Ensign
Everett
Fawell
Fields (TX)
Flanagan
Foley
Fowler
Franks (NJ)
Frelinghuysen
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilman
Goodlatte
Goodling
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Hoke
Horn
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Lucas
Manzullo
Martini
McCollum
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Myers
Myrick
Nethercutt
Neumann
Norwood
Nussle
Orton
Oxley
Packard
Parker
Paxon
Petri
Pickett
Pombo
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Roemer
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
Tejeda
Thomas
Thornberry
Tiahrt
Upton
Vucanovich
Walker
Walsh
Wamp
Weldon (FL)
Wicker
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—192

Abercrombie
Ackerman
Baesler
Baldacci
Barcia
Barrett (WI)
Bateman
Becerra
Beilenson
Bentsen
Berman
Bishop
Bonior
Borski
Brown (FL)
Brown (OH)
Bryant (TX)
Camp
Cardin
Clay
Clayton
Clement
Clyburn
Coble
Coleman
Collins (MI)
Costello
Coyne
Cremeans
Cunningham
Danner
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Durbin
Ehlers
Engel
English
Eshoo
Evans
Ewing
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Forbes
Ford
Fox
Frank (MA)
Franks (CT)
Frisa
Frost
Furse
Gephardt
Gilchrest
Gillmor
Gonzalez
Gordon
Goss
Green
Gutierrez
Hall (OH)
Harman
Hastert
Hastings (FL)
Heineman
Hinchey
Holden
Houghton
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
LaHood
Lantos
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDade
McDermott
McHale
McKinney
McNulty
Meehan
Menendez
Mfume
Mineta
Minge
Mink
Mollohan
Moran
Morella
Nadler
Neal
Ney
Oberstar
Obey
Olver
Owens
Pallone
Payne (NJ)
Payne (VA)
Pelosi
Pomeroy
Porter
Portman
Poshard
Rahall
Rangel
Reed
Reynolds
Rivers
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Shays
Skaggs
Skelton
Slaughter
Spratt
Stark
Stokes
Studds
Stupak
Taylor (NC)
Thompson
Thornton
Thurman
Torkildsen
Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Visclosky
Volkmer
Waldholtz
Ward
Waters
Watt (NC)
Waxman
Weldon (PA)
Weller
White
Whitfield
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—33

Andrews
Baker (LA)
Barrett (NE)
Bono
Boucher
Brown (CA)
Chenoweth
Collins (IL)
Conyers
Cramer
Dornan
Dunn
Gejdenson
Gibbons
Hancock
Hefner
Lincoln
Longley
McCrery
Meek
Miller (CA)
Moakley
Murtha
Ortiz
Pastor
Peterson (FL)
Peterson (MN)
Richardson
Rogers
Tanner
Torres
Watts (OK)
Williams

□ 1252

The Clerk announced the following pairs:

On this vote:

Ms. Dunn of Washington for, with Mrs. Collins of Illinois against.

Mr. Bono for, with Mrs. Meek of Florida against.

Mr. Watts of Oklahoma for, with Mr. Moakley against.

Messrs. HOUGHTON, COBLE, WELLER, HASTERT, and EWING changed their vote from "aye" to "no."

Mr. GRAHAM and Mr. HORN changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. ROUKEMA. Mr. Speaker, I would like to note that on the last vote, rollcall 329, I voted incorrectly. I

had intended to vote "no" and I was registered as "yes."

PERSONAL EXPLANATION

Mr. GEJDENSON. Mr. Speaker, on Friday, May 12, I was unexpectedly called back to Connecticut. As a result, I missed three rollcall votes. Had I been present, I would have voted as follows: rollcall No. 327—Bateman amendment to Lipinski amendment—"no"; rollcall No. 328—Lipinski amendment—"yes"; rollcall No. 329—Largent amendment—"no."

PERSONAL EXPLANATION

Mr. PASTOR. Mr. Speaker, on Friday, May 12, I was granted a leave of absence to return to Arizona to attend the graduation of my daughter from Arizona State University. Consequently, I was absent for three rollcall votes on H.R. 961. Had I been present, I would have voted in the following manner: "nay" on rollcall vote No. 327; "aye" on rollcall vote No. 328; "nay" on rollcall vote No. 329.

The CHAIRMAN. Are there any other amendments to title VI?

If not, the Clerk will designate title VII.

The text of title VII is as follows:

TITLE VII—MISCELLANEOUS PROVISIONS

SEC. 701. TECHNICAL AMENDMENTS.

(a) SECTION 118.—Section 118(c)(1)(A) (33 U.S.C. 1268(c)(1)(A)) is amended by striking the last comma.

(b) SECTION 120.—Section 120(d) (33 U.S.C. 1270(d)) is amended by striking "(1)".

(c) SECTION 204.—Section 204(a)(3) (33 U.S.C. 1284(a)(3)) is amended by striking the final period and inserting a semicolon.

(d) SECTION 205.—Section 205 (33 U.S.C. 1285) is amended—

(1) in subsection (c)(2) by striking "and 1985" and inserting "1985, and 1986";

(2) in subsection (c)(2) by striking "through 1985" and inserting "through 1986";

(3) in subsection (g)(1) by striking the period following "4 per centum"; and

(4) in subsection (m)(1)(B) by striking "this" the last place it appears and inserting "such".

(e) SECTION 208.—Section 208 (33 U.S.C. 1288) is amended—

(1) in subsection (h)(1) by striking "designed" and inserting "designated"; and

(2) in subsection (j)(1) by striking "September 31, 1988" and inserting "September 30, 1988".

(f) SECTION 301.—Section 301(j)(1)(A) (33 U.S.C. 1311(j)(1)(A)) is amended by striking "that" the first place it appears and inserting "than".

(g) SECTION 309.—Section 309(d) (33 U.S.C. 1319(d)) is amended by striking the second comma following "Act by a State".

(h) SECTION 311.—Section 311 (33 U.S.C. 1321) is amended—

(1) in subsection (b) by moving paragraph (12) (including subparagraphs (A), (B) and (C)) 2 ems to the right; and

(2) in subsection (h)(2) by striking "The" and inserting "the".

(i) SECTION 505.—Section 505(f) (33 U.S.C. 1365(f)) is amended by striking the last comma.

(j) SECTION 516.—Section 516 (33 U.S.C. 1375) is amended by redesignating subsection (g) as subsection (f).

(k) SECTION 518.—Section 518(f) (33 U.S.C. 1377(f)) is amended by striking "(d)" and inserting "(e)".

SEC. 702. JOHN A. BLATNIK NATIONAL FRESH WATER QUALITY RESEARCH LABORATORY.

(a) DESIGNATION.—The laboratory and research facility established pursuant to section 104(e) of the Federal Water Pollution Control Act (33 U.S.C. 1254(e)) that is located in Duluth, Minnesota, shall be known and designated as the "John A. Blatnik National Fresh Water Quality Research Laboratory".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the laboratory and research facility referred to in subsection (a) shall be deemed to be a reference to the "John A. Blatnik National Fresh Water Quality Research Laboratory".

SEC. 703. WASTEWATER SERVICE FOR COLONIAS.

(a) GRANT ASSISTANCE.—The Administrator may make grants to States along the United States-Mexico border to provide assistance for planning, design, and construction of treatment works to provide wastewater service to the communities along such border commonly known as "colonias".

(b) FEDERAL SHARE.—The Federal share of the cost of a project carried out using funds made available under subsection (a) shall be 50 percent. The non-Federal share of such cost shall be provided by the State receiving the grant.

(c) TREATMENT WORKS DEFINED.—For purposes of this section, the term "treatment works" has the meaning such term has under section 212 of the Federal Water Pollution Control Act.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for making grants under subsection (a) $50,000,000 for fiscal year 1996. Such sums shall remain available until expended.

SEC. 704. SAVINGS IN MUNICIPAL DRINKING WATER COSTS.

(a) STUDY.—The Administrator of the Environmental Protection Agency, in consultation with the Director of the Office of Management and Budget, shall review, analyze, and compile information on the annual savings that municipalities realize in the construction, operation, and maintenance of drinking water facilities as a result of actions taken under the Federal Water Pollution Control Act.

(b) CONTENTS.—The study conducted under subsection (a), at a minimum, shall contain an examination of the following elements:

(1) Savings to municipalities in the construction of drinking water filtration facilities resulting from actions taken under the Federal Water Pollution Control Act.

(2) Savings to municipalities in the operation and maintenance of drinking water facilities resulting from actions taken under such Act.

(3) Savings to municipalities in health expenditures resulting from actions taken under such Act.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Administrator shall transmit to Congress a report containing the results of the study conducted under subsection (a).

AMENDMENT OFFERED BY MR. DE LA GARZA

Mr. DE LA GARZA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DE LA GARZA: On page 237, in line 11 after "treatment works" insert "and appropriate connections".

On page 237, strike line 14, and all that follows through "(c)" on line 19 and insert "(b)".

On page 237, on line 23 redesignate "(d)" as "(c)".

Mr. DE LA GARZA. Mr. Chairman, I wish to thank the chairman of the committee and the ranking member for agreeing to this amendment. It is an amendment that will give more flexibility to the Administrator of EPA to negotiate with areas on wastewater treatment that are underserved and underprivileged.

I want to thank Chairman SHUSTER and the ranking member of the committee, Mr. MINETA, for supporting my amendment to section 703, the wastewater service for colonias of H.R. 961, the Clean Water Amendments of 1995. Section 703 is similar to a bill I introduced last Congress and which I reintroduced this Congress as H.R. 908.

As some of you know, colonias are unincorporated areas along our southwestern border that lack basic services, such as water and wastewater. There are some 250,000 Americans living in colonias.

This amendment will amend section 703 of the bill to authorize the Administrator to make grants to States to provide assistance for planning, design, and construction of treatment works to provide wastewater service and for appropriate connections. My amendment would allow recipient States to use the financial assistance for appropriate connections for colonia residences to connect them to sewer collection systems which will allow them to make any improvements necessary to meet existing county or city requirements. This is an important problem that we need to address in order to bring wastewater connections into the homes of these communities.

In addition, this amendment will delete the requirements that the Federal share of the cost of a project for a wastewater service be 50 percent. This deletion will allow maximum flexibility for the Administrator in determining the appropriate funding of these projects in allowing EPA to negotiate the match requirement with the recipient State.

Again, thank you Chairman SHUSTER and Mr. MINETA for your assistance regarding this important problem to our southwestern communities. I look forward to working with you and your committee on this important issue.

Mr. SHUSTER. Mr. Chairman, will the gentleman yield?

Mr. DE LA GARZA. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, we have examined this. We think it is a good amendment, and we support it.

Mr. MINETA. Mr. Chairman, will the gentleman yield?

Mr. DE LA GARZA. I yield to the gentleman from California.

Mr. MINETA. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, we have looked at the amendment. We have no objections to the amendment on this side. We do appreciate the gentleman from Kansas [Mr. ROBERTS] being on our side as well.

Mr. ROBERTS. Mr. Chairman, will the gentleman yield?

Mr. DE LA GARZA. I yield to the gentleman from Kansas, the distinguished chairman of the Committee on Agriculture.

Mr. ROBERTS. Mr. Chairman, I thank the distinguished ranking member for his leadership on this particular

bill. We on this side of the aisle have looked at it very carefully and we agree. We are certainly happy to have the gentleman, on our side of the aisle.

Mr. DE LA GARZA. Mr. Chairman I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. DE LA GARZA].

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments to title VII?

If not, the Clerk will designate title VIII.

The text of title VIII is as follows:

TITLE VIII—WETLANDS CONSERVATION AND MANAGEMENT

SEC. 801. SHORT TITLE.

This title may be cited as the "Comprehensive Wetlands Conservation and Management Act of 1995".

SEC. 802. FINDINGS AND STATEMENT OF PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) wetlands play an integral role in maintaining the quality of life through material contributions to our national economy, food supply, water supply and quality, flood control, and fish, wildlife, and plant resources, and thus to the health, safety, recreation and economic well-being of citizens throughout the Nation;

(2) wetlands serve important ecological and natural resource functions, such as providing essential nesting and feeding habitat for waterfowl, other wildlife, and many rare and endangered species, fisheries habitat, the enhancement of water quality, and natural flood control;

(3) much of the Nation's resource has sustained significant degradation, resulting in the need for effective programs to limit the loss of ecologically significant wetlands and to provide for long-term restoration and enhancement of the wetlands resource base;

(4) most of the loss of wetlands in coastal Louisiana is not attributable to human activity;

(5) because 75 percent of the Nation's wetlands in the lower 48 States are privately owned and because the majority of the Nation's population lives in or near wetlands areas, an effective wetlands conservation and management program must reflect a balanced approach that conserves and enhances important wetlands values and functions while observing private property rights, recognizing the need for essential public infrastructure, such as highways, ports, airports, pipelines, sewer systems, and public water supply systems, and providing the opportunity for sustained economic growth;

(6) while wetlands provide many varied economic and environmental benefits, they also present health risks in some instances where they act as breeding grounds for insects that are carriers of human and animal diseases;

(7) the Federal permit program established under section 404 of the Federal Water Pollution Control Act was not originally conceived as a wetlands regulatory program and is insufficient to ensure that the Nation's wetlands resource base will be conserved and managed in a fair and environmentally sound manner; and

(8) navigational dredging plays a vital role in the Nation's economy and, while adequate safeguards for aquatic resources must be maintained, it is essential that the regulatory process be streamlined.

(b) PURPOSE.—The purpose of this title is to establish a new Federal regulatory program for certain wetlands and waters of the United States—

(1) to assert Federal regulatory jurisdiction over a broad category of specifically identified activities that result in the degradation or loss of wetlands;

(2) to provide that each Federal agency, officer, and employee exercise Federal authority under section 404 of the Federal Water Pollution Control Act to ensure that agency action under such section will not limit the use of privately owned property so as to diminish its value;

(3) to account for variations in wetlands functions in determining the character and extent of regulation of activities occurring in wetlands areas;

(4) to provide sufficient regulatory incentives for conservation, restoration, or enhancement activities;

(5) to encourage conservation of resources on a watershed basis to the fullest extent practicable;

(6) to protect public safety and balance public and private interests in determining the conditions under which activity in wetlands areas may occur; and

(7) to streamline the regulatory mechanisms relating to navigational dredging in the Nation's waters.

SEC. 803. WETLANDS CONSERVATION AND MANAGEMENT.

Title IV (33 U.S.C. 1341 et seq.) is further amended by striking section 404 and inserting the following new section:

"SEC. 404. PERMITS FOR ACTIVITIES IN WETLANDS OR WATERS OF THE UNITED STATES.

"(a) PROHIBITED ACTIVITIES.—No person shall undertake an activity in wetlands or waters of the United States unless such activity is undertaken pursuant to a permit issued by the Secretary or is otherwise authorized under this section.

"(b) AUTHORIZED ACTIVITIES.—

"(1) PERMITS.—The Secretary is authorized to issue permits authorizing an activity in wetlands or waters of the United States in accordance with the requirements of this section.

"(2) NONPERMIT ACTIVITIES.—An activity in wetlands or waters of the United States may be undertaken without a permit from the Secretary if that activity is authorized under subsection (e)(6) or (e)(8) or is exempt from the requirements of this section under subsection (f) or other provisions of this section.

"(c) WETLANDS CLASSIFICATION.—

"(1) REGULATIONS; APPLICATIONS.—

"(A) DEADLINE FOR ISSUANCE OF REGULATIONS.—Not later than 1 year after the date of the enactment of the Comprehensive Wetlands Conservation and Management Act of 1995, the Secretary shall issue regulations to classify wetlands as type A, type B, or type C wetlands depending on the relative ecological significance of the wetlands.

"(B) APPLICATION REQUIREMENT.—Any person seeking to undertake activities in wetlands or waters of the United States for which a permit is required under this section shall make application to the Secretary identifying the site of such activity and requesting that the Secretary determine, in accordance with paragraph (3) of this subsection, the classification of the wetlands in which such activity is proposed to occur. The applicant may also provide such additional information regarding such proposed activity as may be necessary or appropriate for purposes of determining the classification of such wetlands or whether and under what conditions the proposed activity may be permitted to occur.

"(2) DEADLINES FOR CLASSIFICATIONS.—

"(A) GENERAL RULE.—Except as provided in subparagraph (B) of this paragraph, within 90 days following the receipt of an application under paragraph (1), the Secretary shall provide notice to the applicant of the classification of the wetlands that are the subject of such application and shall state in writing the basis for such classification. The classification of the wetlands that are the subject of the application shall be determined by the Secretary in accordance with the requirements for classification of wetlands under paragraph (3) and subsection (i).

"(B) RULE FOR ADVANCE CLASSIFICATIONS.—In the case of an application proposing activities located in wetlands that are the subject of an advance classification under subsection (h), the Secretary shall provide notice to the applicant of such classification within thirty days following the receipt of such application, and shall provide an opportunity for review of such classification under paragraph (5) and subsection (i).

"(3) CLASSIFICATION SYSTEM.—Upon application under this subsection, the Secretary shall—

"(A) classify as type A wetlands those wetlands that are of critical significance to the long-term conservation of the aquatic environment of which such wetlands are a part and which meet the following requirements:

"(i) such wetlands serve critical wetlands functions, including the provision of critical habitat for a concentration of avian, aquatic, or wetland dependent wildlife;

"(ii) such wetlands consist of or may be a portion of ten or more contiguous acres and have an inlet or outlet for relief of water flow; except that this requirement shall not operate to preclude the classification as type A wetlands lands containing prairie pothole features, playa lakes, or vernal pools if such lands otherwise meet the requirements for type A classification under this paragraph;

"(iii) there exists a scarcity within the watershed or aquatic environment of identified functions served by such wetlands such that the use of such wetlands for an activity in wetlands or waters of the United States would seriously jeopardize the availability of these identified wetlands functions; and

"(iv) there is unlikely to be an overriding public interest in the use of such wetlands for purposes other than conservation;

"(B) classify as type B wetlands those wetlands that provide habitat for a significant population of wetland dependent wildlife or provide other significant wetlands functions, including significant enhancement or protection of water quality or significant natural flood control; and

"(C) classify as type C wetlands all wetlands that—

"(i) serve limited wetlands functions;

"(ii) serve marginal wetlands functions but which exist in such abundance that regulation of activities in such wetlands is not necessary for conserving important wetlands functions;

"(iii) are prior converted cropland;

"(iv) are fastlands; or

"(v) are wetlands within industrial, commercial, or residential complexes or other intensely developed areas that do not serve significant wetlands functions as a result of such location.

"(4) REQUEST FOR DETERMINATION OF JURISDICTION.—

"(A) IN GENERAL.—A person who holds an ownership interest in property, or who has written authorization from such a person, may submit a request to the Secretary identifying the property and requesting the Secretary to make one or more of the following determinations with respect to the property:

"(i) Whether the property contains waters of the United States.

"(ii) If the determination under clause (i) is made, whether any portion of the waters meets the requirements for delineation as wetland under subsection (g).

"(iii) If the determination under clause (ii) is made, the classification of each wetland on the property under this subsection.

"(B) PROVISION OF INFORMATION.—The person shall provide such additional information as

may be necessary to make each determination requested under subparagraph (A).

"(C) DETERMINATION AND NOTIFICATION BY THE SECRETARY.—Not later than 90 days after receipt of a request under subparagraph (A), the Secretary shall—

"(i) notify the person submitting the request of each determination made by the Secretary pursuant to the request; and

"(ii) provide written documentation of each determination and the basis for each determination.

"(D) AUTHORITY TO SEEK IMMEDIATE REVIEW.—Any person authorized under this paragraph to request a jurisdictional determination may seek immediate judicial review of any such jurisdictional determination or may proceed under subsection (i).

"(5) DE NOVO DETERMINATION AFTER ADVANCE CLASSIFICATION.—Within 30 days of receipt of notice of an advance classification by the Secretary under paragraph (2)(B) of this subsection, an applicant may request the Secretary to make a de novo determination of the classification of wetlands that are the subject of such notice.

"(d) RIGHT TO COMPENSATION.—

"(1) IN GENERAL.—The Federal Government shall compensate an owner of property whose use of any portion of that property has been limited by an agency action under this section that diminishes the fair market value of that portion by 20 percent or more. The amount of the compensation shall equal the diminution in value that resulted from the agency action. If the diminution in value of a portion of that property is greater than 50 percent, at the option of the owner, the Federal Government shall buy that portion of the property for its fair market value.

"(2) DURATION OF LIMITATION ON USE.—Property with respect to which compensation has been paid under this section shall not thereafter be used contrary to the limitation imposed by the agency action, even if that action is later rescinded or otherwise vitiated. However, if that action is later rescinded or otherwise vitiated, and the owner elects to refund the amount of the compensation, adjusted for inflation, to the Treasury of the United States, the property may be so used.

"(3) EFFECT OF STATE LAW.—If a use is a nuisance as defined by the law of a State or is already prohibited under a local zoning ordinance, no compensation shall be made under this section with respect to a limitation on that use.

"(4) EXCEPTIONS.—

"(A) PREVENTION OF HAZARD TO HEALTH OR SAFETY OR DAMAGE TO SPECIFIC PROPERTY.—No compensation shall be made under this section with respect to an agency action the primary purpose of which is to prevent an identifiable—

"(i) hazard to public health or safety; or

"(ii) damage to specific property other than the property whose use is limited.

"(B) NAVIGATION SERVITUDE.—No compensation shall be made under this section with respect to an agency action pursuant to the Federal navigation servitude, as defined by the courts of the United States, except to the extent such servitude is interpreted to apply to wetlands.

"(5) PROCEDURE.—

"(A) REQUEST OF OWNER.—An owner seeking compensation under this section shall make a written request for compensation to the agency whose agency action resulted in the limitation. No such request may be made later than 180 days after the owner receives actual notice of that agency action.

"(B) NEGOTIATIONS.—The agency may bargain with that owner to establish the amount of the compensation. If the agency and the owner agree to such an amount, the agency shall promptly pay the owner the amount agreed upon.

"(C) CHOICE OF REMEDIES.—If, not later than 180 days after the written request is made, the parties do not come to an agreement as to the right to and amount of compensation, the owner may choose to take the matter to binding arbitration or seek compensation in a civil action.

"(D) ARBITRATION.—The procedures that govern the arbitration shall, as nearly as practicable, be those established under title 9, United States Code, for arbitration proceedings to which that title applies. An award made in such arbitration shall include a reasonable attorney's fee and other arbitration costs (including appraisal fees). The agency shall promptly pay any award made to the owner.

"(E) CIVIL ACTION.—An owner who does not choose arbitration, or who does not receive prompt payment when required by this section, may obtain appropriate relief in a civil action against the agency. An owner who prevails in a civil action under this section shall be entitled to, and the agency shall be liable for, a reasonable attorney's fee and other litigation costs (including appraisal fees). The court shall award interest on the amount of any compensation from the time of the limitation.

"(F) SOURCE OF PAYMENTS.—Any payment made under this section to an owner and any judgment obtained by an owner in a civil action under this section shall, notwithstanding any other provision of law, be made from the annual appropriation of the agency whose action occasioned the payment or judgment. If the agency action resulted from a requirement imposed by another agency, then the agency making the payment or satisfying the judgment may seek partial or complete reimbursement from the appropriated funds of the other agency. For this purpose the head of the agency concerned may transfer or reprogram any appropriated funds available to the agency. If insufficient funds exist for the payment or to satisfy the judgment, it shall be the duty of the head of the agency to seek the appropriation of such funds for the next fiscal year.

"(6) LIMITATION.—Notwithstanding any other provision of law, any obligation of the United States to make any payment under this section shall be subject to the availability of appropriations.

"(7) DUTY OF NOTICE TO OWNERS.—Whenever an agency takes an agency action limiting the use of private property, the agency shall give appropriate notice to the owners of that property directly affected explaining their rights under this section and the procedures for obtaining any compensation that may be due to them under this section.

"(8) RULES OF CONSTRUCTION.—

"(A) EFFECT ON CONSTITUTIONAL RIGHT TO COMPENSATION.—Nothing in this section shall be construed to limit any right to compensation that exists under the Constitution, laws of the United States, or laws of any State.

"(B) EFFECT OF PAYMENT.—Payment of compensation under this section (other than when the property is bought by the Federal Government at the option of the owner) shall not confer any rights on the Federal Government other than the limitation on use resulting from the agency action.

"(9) TREATMENT OF CERTAIN ACTIONS.—A diminution in value under this subsection shall apply to surface interests in lands only or water rights allocated under State law; except that—

"(A) if the Secretary determines that the exploration for or development of oil and gas or mineral interests is not compatible with limitations on use related to the surface interests in lands that have been classified as type A or type B wetlands located above such oil and gas or mineral interests (or located adjacent to such oil and gas or mineral interests where such adjacent lands are necessary to provide reasonable access to such interests), the Secretary shall notify the owner of such interests that the owner may elect to receive compensation for such interests under paragraph (1); and

"(B) the failure to provide reasonable access to oil and gas or mineral interests located beneath or adjacent to surface interests of type A or type B wetlands shall be deemed a diminution in value of such oil and gas or mineral interests.

"(10) JURISDICTION.—The arbitrator or court under paragraph (5)(D) or (5)(E) of this subsection, as the case may be, shall have jurisdiction, in the case of oil and gas or mineral interests, to require the United States to provide reasonable access in, across, or through lands that may be the subject of a diminution in value under this subsection solely for the purpose of undertaking activity necessary to determine the value of the interests diminished and to provide other equitable remedies deemed appropriate.

"(11) LIMITATIONS ON STATUTORY CONSTRUCTION.—No action under this subsection shall be construed—

"(A) to impose any obligation on any State or political subdivision thereof to compensate any person, even in the event that the Secretary has approved a land management plan under subsection (f)(2) or an individual and general permit program under subsection (l); or

"(B) to alter or supersede requirements governing use of water applicable under State law.

"(e) REQUIREMENTS APPLICABLE TO PERMITTED ACTIVITY.—

"(1) ISSUANCE OR DENIAL OF PERMITS.—Following the determination of wetlands classification pursuant to subsection (c) if applicable, and after compliance with the requirements of subsection (d) if applicable, the Secretary may issue or deny permits for authorization to undertake activities in wetlands or waters of the United States in accordance with the requirements of this subsection.

"(2) TYPE A WETLANDS.—

"(A) SEQUENTIAL ANALYSIS.—The Secretary shall determine whether to issue a permit for an activity in waters of the United States classified under subsection (c) as type A wetlands based on a sequential analysis that seeks, to the maximum extent practicable, to—

"(i) avoid adverse impact on the wetlands;

"(ii) minimize such adverse impact on wetlands functions that cannot be avoided; and

"(iii) compensate for any loss of wetland functions that cannot be avoided or minimized.

"(B) MITIGATION TERMS AND CONDITIONS.—Any permit issued authorizing activities in type A wetlands may contain such terms and conditions concerning mitigation (including those applicable under paragraph (3) for type B wetlands) that the Secretary deems appropriate to prevent the unacceptable loss or degradation of type A wetlands. The Secretary shall deem the mitigation requirement of this section to be met with respect to activities in type A wetlands if such activities (i) are carried out in accordance with a State-approved reclamation plan or permit which requires recontouring and revegetation following mining, and (ii) will result in overall environmental benefits being achieved.

"(3) TYPE B WETLANDS.—

"(A) GENERAL RULE.—The Secretary may issue a permit authorizing activities in type B wetlands if the Secretary finds that issuance of the permit is in the public interest, balancing the reasonably foreseeable benefits and detriments resulting from the issuance of the permit. The permit shall be subject to such terms and conditions as the Secretary finds are necessary to carry out the purposes of the Comprehensive Wetlands Conservation and Management Act of 1995. In determining whether or not

to issue the permit and whether or not specific terms and conditions are necessary to avoid a significant loss of wetlands functions, the Secretary shall consider the following factors:

"(i) The quality and quantity of significant functions served by the areas to be affected.

"(ii) The opportunities to reduce impacts through cost effective design to minimize use of wetlands areas.

"(iii) The costs of mitigation requirements and the social, recreational, and economic benefits associated with the proposed activity, including local, regional, or national needs for improved or expanded infrastructure, minerals, energy, food production, or recreation.

"(iv) The ability of the permittee to mitigate wetlands loss or degradation as measured by wetlands functions.

"(v) The environmental benefit, measured by wetlands functions, that may occur through mitigation efforts, including restoring, preserving, enhancing, or creating wetlands values and functions.

"(vi) The marginal impact of the proposed activity on the watershed of which such wetlands are a part.

"(vii) Whether the impact on the wetlands is temporary or permanent.

"(B) DETERMINATION OF PROJECT PURPOSE.—In considering an application for activities on type B wetlands, there shall be a rebuttable presumption that the project purpose as defined by the applicant shall be binding upon the Secretary. The definition of project purpose for projects sponsored by public agencies shall be binding upon the Secretary, subject to the authority of the Secretary to impose mitigation requirements to minimize impacts on wetlands values and functions, including cost effective redesign of projects on the proposed project site.

"(C) MITIGATION REQUIREMENTS.—Except as otherwise provided in this section, requirements for mitigation shall be imposed when the Secretary finds that activities undertaken under this section will result in the loss or degradation of type B wetlands functions where such loss or degradation is not a temporary or incidental impact. When determining mitigation requirements in any specific case, the Secretary shall take into consideration the type of wetlands affected, the character of the impact on wetland functions, whether any adverse effects on wetlands are of a permanent or temporary nature, and the cost effectiveness of such mitigation and shall seek to minimize the costs of such mitigation. Such mitigation requirement shall be calculated based upon the specific impact of a particular project. The Secretary shall deem the mitigation requirement of this section to be met with respect to activities in type B wetlands if such activities (i) are carried out in accordance with a State-approved reclamation plan or permit which requires recontouring and revegetation following mining, and (ii) will result in overall environmental benefits being achieved.

"(D) RULES GOVERNING MITIGATION.—In accordance with subsection (j), the Secretary shall issue rules governing requirements for mitigation for activities occurring in wetlands that allow for—

"(i) minimization of impacts through project design in the proposed project site consistent with the project's purpose, provisions for compensatory mitigation, if any, and other terms and conditions necessary and appropriate in the public interest;

"(ii) preservation or donation of type A wetlands or type B wetlands (where title has not been acquired by the United States and no compensation under subsection (d) for such wetlands has been provided) as mitigation for activities that alter or degrade wetlands;

"(iii) enhancement or restoration of degraded wetlands as compensation for wetlands lost or degraded through permitted activity;

"(iv) creation of wetlands as compensation for wetlands lost or degraded through permitted activity if conditions are imposed that have a reasonable likelihood of being successful;

"(v) compensation through contribution to a mitigation bank program established pursuant to paragraph (4);

"(vi) offsite compensatory mitigation if such mitigation contributes to the restoration, enhancement or creation of significant wetlands functions on a watershed basis and is balanced with the effects that the proposed activity will have on the specific site; except that offsite compensatory mitigation, if any, shall be required only within the State within which the proposed activity is to occur, and shall, to the extent practicable, be within the watershed within which the proposed activity is to occur, unless otherwise consistent with a State wetlands management plan;

"(vii) contribution of in-kind value acceptable to the Secretary and otherwise authorized by law;

"(viii) in areas subject to wetlands loss, the construction of coastal protection and enhancement projects;

"(ix) contribution of resources of more than one permittee toward a single mitigation project; and

"(x) other mitigation measures, including contributions of other than in-kind value referred to in clause (vii), determined by the Secretary to be appropriate in the public interest and consistent with the requirements and purposes of this Act.

"(E) LIMITATIONS ON REQUIRING MITIGATION.—Notwithstanding the provisions of subparagraph (C), the Secretary may determine not to impose requirements for compensatory mitigation if the Secretary finds that—

"(i) the adverse impacts of a permitted activity are limited;

"(ii) the failure to impose compensatory mitigation requirements is compatible with maintaining wetlands functions;

"(iii) no practicable and reasonable means of mitigation are available;

"(iv) there is an abundance of similar significant wetlands functions and values in or near the area in which the proposed activity is to occur that will continue to serve the functions lost or degraded as a result of such activity, taking into account the impacts of such proposed activity and the cumulative impacts of similar activity in the area;

"(v) the temporary character of the impacts and the use of minimization techniques make compensatory mitigation unnecessary to protect significant wetlands values; or

"(vi) a waiver from requirements for compensatory mitigation is necessary to prevent special hardship.

"(4) MITIGATION BANKS.—

"(A) ESTABLISHMENT.—Not later than 6 months after the date of the enactment of this subparagraph, after providing notice and opportunity for public review and comment, the Secretary shall issue regulations for the establishment, use, maintenance, and oversight of mitigation banks. The regulations shall be developed in consultation with the heads of other appropriate Federal agencies.

"(B) PROVISIONS AND REQUIREMENTS.—The regulations issued pursuant to subparagraph (A) shall ensure that each mitigation bank—

"(i) provides for the chemical, physical, and biological functions of wetlands or waters of the United States which are lost as a result of authorized adverse impacts to wetlands or other waters of the United States;

"(ii) to the extent practicable and environmentally desirable, provides in-kind replacement of lost wetlands functions and be located in, or in proximity to, the same watershed or designated geographic area as the affected wetlands or waters of the United States;

"(iii) be operated by a public or private entity which has the financial capability to meet the requirements of this paragraph, including the deposit of a performance bond or other appropriate demonstration of financial responsibility to support the long-term maintenance of the bank, fulfill responsibilities for long-term monitoring, maintenance, and protection, and provide for the long-term security of ownership interests of wetlands and uplands on which projects are conducted to protect the wetlands functions associated with the mitigation bank;

"(iv) employ consistent and scientifically sound methods to determine debits by evaluating wetlands functions, project impacts, and duration of the impact at the sites of proposed permits for authorized activities pursuant to this section and to determine credits based on wetlands functions at the site of the mitigation bank;

"(v) provide for the transfer of credits for mitigation that has been performed and for mitigation that shall be performed within a designated time in the future, provided that financial bonds shall be posted in sufficient amount to ensure that the mitigation will be performed in the case of default; and

"(vi) provide opportunity for public notice of and comment on proposals for the mitigation banks; except that any process utilized by a mitigation bank to obtain a permit authorizing operations under this section before the date of the enactment of the Comprehensive Wetlands Conservation and Management Act of 1995 satisfies the requirement for such public notice and comment.

"(5) PROCEDURES AND DEADLINES FOR FINAL ACTION.—

"(A) OPPORTUNITY FOR PUBLIC COMMENT.—Not later than 15 days after receipt of a complete application for a permit under this section, together with information necessary to consider such application, the Secretary shall publish notice that the application has been received and shall provide opportunity for public comment and, to the extent appropriate, opportunity for a public hearing on the issuance of the permit.

"(B) GENERAL PROCEDURES.—In the case of any application for authorization to undertake activities in wetlands or waters of the United States that are not eligible for treatment on an expedited basis pursuant to paragraph (8), final action by the Secretary shall occur within 90 days following the date such application is filed, unless—

"(i) the Secretary and the applicant agree that such final action shall occur within a longer period of time;

"(ii) the Secretary determines that an additional, specified period of time is necessary to permit the Secretary to comply with other applicable Federal law; except that if the Secretary is required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to prepare an environmental impact statement, with respect to the application, the final action shall occur not later than 45 days following the date such statement is filed; or

"(iii) the Secretary, within 15 days from the date such application is received, notifies the applicant that such application does not contain all information necessary to allow the Secretary to consider such application and identifies any necessary additional information, in which case, the provisions of subparagraph (C) shall apply.

"(C) SPECIAL RULE WHEN ADDITIONAL INFORMATION IS REQUIRED.—Upon the receipt of a request for additional information under subparagraph (B)(iii), the applicant shall supply such

additional information and shall advise the Secretary that the application contains all requested information and is therefore complete. The Secretary may—

"(i) within 30 days of the receipt of notice of the applicant that the application is complete, determine that the application does not contain all requested additional information and, on that basis, deny the application without prejudice to resubmission; or

"(ii) within 90 days from the date that the applicant provides notification to the Secretary that the application is complete, review the application and take final action.

"(D) EFFECT OF NOT MEETING DEADLINE.—If the Secretary fails to take final action on an application under this paragraph within 90 days from the date that the applicant provides notification to the Secretary that such application is complete, a permit shall be presumed to be granted authorizing the activities proposed in such application under such terms and conditions as are stated in such completed application.

"(6) TYPE C WETLANDS.—Activities in wetlands that have been classified as type C wetlands by the Secretary may be undertaken without authorization required under subsection (a) of this section.

"(7) STATES WITH SUBSTANTIAL CONSERVED WETLANDS.—

"(A) IN GENERAL.—With respect to type A and type B wetlands in States with substantial conserved wetlands areas, at the option of the permit applicant, the Secretary shall issue permits authorizing activities in such wetlands pursuant to this paragraph. Final action on issuance of such permits shall be in accordance with the procedures and deadlines of paragraph (5). The Secretary may include conditions or requirements for minimization of adverse impacts to wetlands functions when minimization is economically practicable. No permit to which this paragraph applies shall include conditions, requirements, or standards for mitigation to compensate for adverse impacts to wetlands or waters of the United States or conditions, requirements, or standards for avoidance of adverse impacts to wetlands or waters of the United States.

"(B) ECONOMIC BASE LANDS.—Upon application by the owner of economic base lands in a State with substantial conserved wetlands areas, the Secretary shall issue individual and general permits to owners of such lands for activities in wetlands or waters of the United States. The Secretary shall reduce the requirements of subparagraph (A)—

"(i) to allow economic base lands to be beneficially used to create and sustain economic activity; and

"(ii) in the case of lands owned by Alaska Native entities, to reflect the social and economic needs of Alaska Natives to utilize economic base lands.

The Secretary shall consult with and provide assistance to the Alaska Natives (including Alaska Native Corporations) in promulgation and administration of policies and regulations under this section.

"(8) GENERAL PERMITS.—

"(A) GENERAL AUTHORITY.—The Secretary may issue, by rule in accordance with subsection (j), general permits on a programmatic, State, regional, or nationwide basis for any category of activities involving an activity in wetlands or waters of the United States if the Secretary determines that such activities are similar in nature and that such activities, when performed separately and cumulatively, will not result in the significant loss of ecologically significant wetlands values and functions.

"(B) PROCEDURES.—Permits issued under this paragraph shall include procedures for expedited review of eligibility for such permits (if such review is required) and may include requirements for reporting and mitigation. To the extent that a proposed activity requires a determination by the Secretary as to the eligibility to qualify for a general permit under this subsection, such determination shall be made within 30 days of the date of submission of the application for such qualification, or the application shall be treated as being approved.

"(C) COMPENSATORY MITIGATION.—Requirements for compensatory mitigation for general permits may be imposed where necessary to offset the significant loss or degradation of significant wetlands functions where such loss or degradation is not a temporary or incidental impact. Such compensatory mitigation shall be calculated based upon the specific impact of a particular project.

"(D) GRANDFATHER OF EXISTING GENERAL PERMITS.—General permits in effect on day before the date of the enactment of the Comprehensive Wetlands Conservation and Management Act of 1995 shall remain in effect until otherwise modified by the Secretary.

"(E) STATES WITH SUBSTANTIAL CONSERVED LANDS.—Upon application by a State or local authority in a State with substantial conserved wetlands areas, the Secretary shall issue a general permit applicable to such authority for activities in wetlands or waters of the United States. No permit issued pursuant to this subparagraph shall include conditions, requirements, or standards for mitigation to compensate for adverse impacts to wetlands or waters of the United States or shall include conditions, requirements, or standards for avoidance of adverse impacts of wetlands or waters of the United States.

"(9) OTHER WATERS OF THE UNITED STATES.—The Secretary may issue a permit authorizing activities in waters of the United States (other than those classified as type A, B, or C wetlands under this section) if the Secretary finds that issuance of the permit is in the public interest, balancing the reasonably foreseeable benefits and detriments resulting from the issuance of the permit. The permit shall be subject to such terms and conditions as the Secretary finds are necessary to carry out the purposes of the Comprehensive Wetlands Conservation and Management Act of 1995. In determining whether or not to issue the permit and whether or not specific terms and conditions are necessary to carry out such purposes, the Secretary shall consider the factors set forth in paragraph (3)(A) as they apply to nonwetlands areas and such other provisions of paragraph (3) as the Secretary determines are appropriate to apply to nonwetlands areas.

"(f) ACTIVITIES NOT REQUIRING PERMIT.—

"(1) IN GENERAL.—Activities undertaken in any wetlands or waters of the United States are exempt from the requirements of this section and are not prohibited by or otherwise subject to regulation under this section or section 301 or 402 of this Act (except effluent standards or prohibitions under section 307 of this Act) if such activities—

"(A) result from normal farming, silviculture, aquaculture, and ranching activities and practices, including but not limited to plowing, seeding, cultivating, haying, grazing, normal maintenance activities, minor drainage, burning of vegetation in connection with such activities, harvesting for the production of food, fiber, and forest products, or upland soil and water conservation practices;

"(B) are for the purpose of maintenance, including emergency reconstruction of recently damaged parts, of currently serviceable structures such as dikes, dams, levees, flood control channels or other engineered flood control facilities, water control structures, water supply reservoirs (where such maintenance involves periodic water level drawdowns) which provide water predominantly to public drinking water systems, groins, riprap, breakwaters, utility distribution and transmission lines, causeways, and bridge abutments or approaches, and transportation structures;

"(C) are for the purpose of construction or maintenance of farm, stock or aquaculture ponds, wastewater retention facilities (including dikes and berms) that are used by concentrated animal feeding operations, or irrigation canals and ditches or the maintenance of drainage ditches;

"(D) are for the purpose of construction of temporary sedimentation basins on a construction site, or the construction of any upland dredged material disposal area, which does not include placement of fill material into the navigable waters;

"(E) are for the purpose of construction or maintenance of farm roads or forest roads, railroad lines of up to 10 miles in length, or temporary roads for moving mining equipment, access roads for utility distribution and transmission lines if such roads or railroad lines are constructed and maintained, in accordance with best management practices, to assure that flow and circulation patterns and chemical and biological characteristics of the waters are not impaired, that the reach of the waters is not reduced, and that any adverse effect on the aquatic environment will be otherwise minimized;

"(F) are undertaken on farmed wetlands, except that any change in use of such land for the purpose of undertaking activities that are not exempt from regulation under this subsection shall be subject to the requirements of this section to the extent that such farmed wetlands are 'wetlands' under this section;

"(G) result from any activity with respect to which a State has an approved program under section 208(b)(4) of this Act which meets the requirements of subparagraphs (B) and (C) of such section;

"(H) are consistent with a State or local land management plan submitted to the Secretary and approved pursuant to paragraph (2);

"(I) are undertaken in connection with a marsh management and conservation program in a coastal parish in the State of Louisiana where such program has been approved by the Governor of such State or the designee of the Governor;

"(J) are undertaken on lands or involve activities within a State's coastal zone which are excluded from regulation under a State coastal zone management program approved under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451, et seq.);

"(K) are undertaken in incidentally created wetlands, unless such incidentally created wetlands have exhibited wetlands functions and values for more than 5 years in which case activities undertaken in such wetlands shall be subject to the requirements of this section;

"(L) are for the purpose of preserving and enhancing aviation safety or are undertaken in order to prevent an airport hazard;

"(M) result from aggregate or clay mining activities in wetlands conducted pursuant to a State or Federal permit that requires the reclamation of such affected wetlands if such reclamation will be completed within 5 years of the commencement of activities at the site and, upon completion of such reclamation, the wetlands will support wetlands functions equivalent to the functions supported by the wetlands at the time of commencement of such activities;

"(N) are for the placement of a structural member for a pile-supported structure, such as a pier or dock, or for a linear project such as a bridge, transmission or distribution line footing, powerline structure, or elevated or other walkway;

"(O) are for the placement of a piling in waters of the United States in a circumstance that involves—

"(i) a linear project described in subparagraph (N); or

"(ii) a structure such as a pier, boathouse, wharf, marina, lighthouse, or individual house built on stilts solely to reduce the potential of flooding;

"(P) are for the clearing (including mechanized clearing) of vegetation within a right-of-way associated with the development and maintenance of a transmission or distribution line or other powerline structure or for the maintenance of water supply reservoirs which provide water predominantly to public drinking water systems;

"(Q) are undertaken in or affecting waterfilled depressions created in uplands incidental to construction activity, or are undertaken in or affecting pits excavated in uplands for the purpose of obtaining fill, sand, gravel, aggregates, or minerals, unless and until the construction or excavation operation is abandoned; or

"(R) are undertaken in a State with substantial conserved wetlands areas and—

"(i) are for purposes of providing critical infrastructure, including water and sewer systems, airports, roads, communication sites, fuel storage sites, landfills, housing, hospitals, medical clinics, schools, and other community infrastructure;

"(ii) are for construction and maintenance of log transfer facilities associated with log transportation activities;

"(iii) are for construction of tailings impoundments utilized for treatment facilities (as determined by the development document) for the mining subcategory for which the tailings impoundment is constructed; or

"(iv) are for construction of ice pads and ice roads and for purposes of snow storage and removal.

"(2) STATE OR LOCAL MANAGEMENT PLAN.—Any State or political subdivision thereof acting pursuant to State authorization may develop a land management plan with respect to lands that include identified wetlands. The State or local government agency may submit any such plan to the Secretary for review and approval. The Secretary shall, within 60 days, notify in writing the designated State or local official of approval or disapproval of any such plan. The Secretary shall approve any plan that is consistent with the purposes of this section. No person shall be entitled to judicial review of the decision of the Secretary to approve or disapprove a land management plan under this paragraph. Nothing in this paragraph shall be construed to alter, limit, or supersede the authority of a State or political subdivision thereof to establish land management plans for purposes other than the provisions of this subsection.

"(g) RULES FOR DELINEATING WETLANDS.—

"(1) STANDARDS.—

"(A) ISSUANCE OF RULE.—The Secretary is authorized and directed to establish standards, by rule in accordance with subsection (j), that shall govern the delineation of lands as 'wetlands' for purposes of this section. Such rules shall be established after consultation with the heads of other appropriate Federal agencies and shall be binding on all Federal agencies in connection with the administration or implementation of any provision of this section. The standards for delineation of wetlands and any decision of the Secretary, the Secretary of Agriculture (in the case of agricultural lands and associated nonagricultural lands), or any other Federal officer or agency made in connection with the administration of this section shall comply with the requirements for delineation of wetlands set forth in subparagraphs (B) and (C).

"(B) EXCEPTIONS.—The standards established by rule or applied in any case for purposes of this section shall ensure that lands are delineated as wetlands only if such lands are found to be 'wetlands' under section 502 of this Act; except that such standards may not—

"(i) result in the delineation of lands as wetlands unless clear evidence of wetlands hydrology, hydrophytic vegetation, and hydric soil are found to be present during the period in which such delineation is made, which delineation shall be conducted during the growing season unless otherwise requested by the applicant;

"(ii) result in the classification of vegetation as hydrophytic if such vegetation is equally adapted to dry or wet soil conditions or is more typically adapted to dry soil conditions than to wet soil conditions;

"(iii) result in the classification of lands as wetlands unless some obligate wetlands vegetation is found to be present during the period of delineation; except that if such vegetation has been removed for the purpose of evading jurisdiction under this section, this clause shall not apply;

"(iv) result in the conclusion that wetlands hydrology is present unless water is found to be present at the surface of such lands for 21 consecutive days in the growing seasons in a majority of the years for which records are available; and

"(v) result in the classification of lands as wetlands that are temporarily or incidentally created as a result of adjacent development activity.

"(C) NORMAL CIRCUMSTANCES.—In addition to the requirements of subparagraph (B), any standards established by rule or applied to delineate wetlands for purposes of this section shall provide that 'normal circumstances' shall be determined on the basis of the factual circumstances in existence at the time a classification is made under subsection (h) or at the time of application under subsection (e), whichever is applicable, if such circumstances have not been altered by an activity prohibited under this section.

"(2) LAND AREA CAP FOR TYPE A WETLANDS.—No more than 20 percent of any county, parish, or borough shall be classified as type A wetlands. Type A wetlands in Federal or State ownership (including type A wetlands in units of the National Wildlife Refuge System, the National Park System, and lands held in conservation easements) shall be included in calculating the percent of type A wetlands in a county, parish, or borough.

"(3) AGRICULTURAL LANDS.—

"(A) DELINEATION BY SECRETARY OF AGRICULTURE.—For purposes of this section, wetlands located on agricultural lands and associated nonagricultural lands shall be delineated solely by the Secretary of Agriculture in accordance with section 1222(j) of the Food Security Act of 1985 (16 U.S.C. 3822(j)).

"(B) EXEMPTION OF LANDS EXEMPTED UNDER FOOD SECURITY ACT.—Any area of agricultural land or any activities related to the land determined to be exempt from the requirements of subtitle C of title XII of the Food Security Act of 1985 (16 U.S.C. 3821 et seq.) shall also be exempt from the requirements of this section for such period of time as those lands are used as agricultural lands.

"(C) EFFECT OF APPEAL DETERMINATION PURSUANT TO FOOD SECURITY ACT.—Any area of agricultural land or any activities related to the land determined to be exempt pursuant to an appeal taken pursuant to subtitle C of title XII of the Food Security Act of 1985 (16 U.S.C. 3821 et seq.) shall be exempt under this section for such period of time as those lands are used as agricultural lands.

"(h) MAPPING AND PUBLIC NOTICE REQUIREMENTS.—

"(1) PROVISION OF PUBLIC NOTICE.—Not later than 90 days after the date of the enactment of the Comprehensive Wetlands Conservation and Management Act of 1995, the Secretary shall provide the court of each county, parish, or borough in which the wetland subject to classification under subsection (c) is located, a notice for posting near the property records of the county, parish, or borough. The notice shall—

"(A) state that wetlands regulated under this section may be located in the county, parish, or borough;

"(B) provide an explanation understandable to the general public of how wetlands are delineated and classified;

"(C) describe the requirements and restrictions of the regulatory program under this section; and

"(D) provide instructions on how to obtain a delineation and classification of wetlands under this section.

"(2) PROVISION OF DELINEATION DETERMINATIONS.—On completion under this section of a delineation and classification of property that contains wetlands or a delineation of property that contains waters of the United States that are not wetlands, the Secretary of Agriculture, in the case of wetlands located on agricultural lands and associated nonagricultural lands, and the Secretary, in the case of other lands, shall—

"(A) file a copy of the delineation, including the classification of any wetland located on the property, with the records of the property in the local courthouse; and

"(B) serve a copy of the delineation determination on every owner of the property on record and any person with a recorded mortgage or lien on the property.

"(3) NOTICE OF ENFORCEMENT ACTIONS.—The Secretary shall file notice of each enforcement action under this section taken with respect to private property with the records of the property in the local courthouse.

"(4) WETLANDS IDENTIFICATION AND CLASSIFICATION PROJECT.—

"(A) IN GENERAL.—The Secretary and the Secretary of Agriculture shall undertake a project to identify and classify wetlands in the United States that are regulated under this section. The Secretaries shall complete such project not later than 10 years after the date of the enactment of the Comprehensive Wetlands Conservation and Management Act of 1995.

"(B) APPLICABILITY OF DELINEATION STANDARDS.—In conducting the project under this section, the Secretaries shall identify and classify wetlands in accordance with standards for delineation of wetlands established by the Secretaries under subsection (g).

"(C) PUBLIC HEARINGS.—In conducting the project under this section, the Secretaries shall provide notice and an opportunity for a public hearing in each county, parish or borough of a State before completion of identification and classification of wetlands in such county, parish, or borough.

"(D) PUBLICATION.—Promptly after completion of identification and classification of wetlands in a county, parish, or borough under this section, the Secretaries shall have published information on such identification and classification in the Federal Register and in publications of wide circulation and take other steps reasonably necessary to ensure that such information is available to the public.

"(E) REPORTS.—The Secretaries shall report to Congress on implementation of the project to be conducted under this section not later than 2 years after the date of the enactment of the Comprehensive Wetlands Conservation and Management Act of 1995 and annually thereafter.

"(F) RECORDATION.—Any classification of lands as wetlands under this section shall, to

the maximum extent practicable, be recorded on the property records in the county, parish, or borough in which such wetlands are located.

"(i) ADMINISTRATIVE APPEALS.—

"(1) REGULATIONS ESTABLISHING PROCEDURES.—Not later than 1 year after the date of the enactment of the Comprehensive Wetlands Conservation and Management Act of 1995, the Secretary shall, after providing notice and opportunity for public comment, issue regulations establishing procedures pursuant to which—

"(A) a landowner may appeal a determination of regulatory jurisdiction under this section with respect to a parcel of the landowner's property;

"(B) a landowner may appeal a wetlands classification under this section with respect to a parcel of the landowner's property;

"(C) any person may appeal a determination that the proposed activity on the landowner's property is not exempt under subsection (f);

"(D) a landowner may appeal a determination that an activity on the landowner's property does not qualify under a general permit issued under this section;

"(E) an applicant for a permit under this section may appeal a determination made pursuant to this section to deny issuance of the permit or to impose a requirement under the permit; and

"(F) a landowner or any other person required to restore or otherwise alter a parcel of property pursuant to an order issued under this section may appeal such order.

"(2) DEADLINE FOR FILING APPEAL.—An appeal brought pursuant to this subsection shall be filed not later than 30 days after the date on which the decision or action on which the appeal is based occurs.

"(3) DEADLINE FOR DECISION.—An appeal brought pursuant to this subsection shall be decided not later than 90 days after the date on which the appeal is filed.

"(4) PARTICIPATION IN APPEALS PROCESS.—Any person who participated in the public comment process concerning a decision or action that is the subject of an appeal brought pursuant to this subsection may participate in such appeal with respect to those issues raised in the person's written public comments.

"(5) DECISIONMAKER.—An appeal brought pursuant to this subsection shall be heard and decided by an appropriate and impartial official of the Federal Government, other than the official who made the determination or carried out the action that is the subject of the appeal.

"(6) STAY OF PENALTIES AND MITIGATION.—A landowner or any other person who has filed an appeal under this subsection shall not be required to pay a penalty or perform mitigation or restoration assessed under this section or section 309 until after the appeal has been decided.

"(j) ADMINISTRATIVE PROVISIONS.—

"(1) FINAL REGULATIONS FOR ISSUANCE OF PERMITS.—Not later than 1 year after the date of the enactment of the Comprehensive Wetlands Conservation and Management Act of 1995, the Secretary shall, after notice and opportunity for comment, issue (in accordance with section 553 of title 5 of the United States Code and this section) final regulations for implementation of this section. Such regulations shall, in accordance with this section, provide—

"(A) standards and procedures for the classification and delineation of wetlands and procedures for administrative review of any such classification or delineation;

"(B) standards and procedures for the review of State or local land management plans and State programs for the regulation of wetlands;

"(C) for the issuance of general permits, including programmatic, State, regional, and nationwide permits;

"(D) standards and procedures for the individual permit applications under this section;

"(E) for enforcement of this section;

"(F) guidelines for the specification of sites for the disposal of dredged or fill material for navigational dredging; and

"(G) any other rules and regulations that the Secretary deems necessary or appropriate to implement the requirements of this section.

"(2) NAVIGATIONAL DREDGING GUIDELINES.—Guidelines developed under paragraph (1)(F) shall—

"(A) be based upon criteria comparable to the criteria applicable to the territorial seas, the contiguous zone, and the oceans under section 403(c); and

"(B) ensure that with respect to the issuance of permits under this section—

"(i) the least costly, environmentally acceptable disposal alternative will be selected, taking into consideration cost, existing technology, short term and long term dredging requirements, and logistics;

"(ii) a disposal site will be specified after comparing reasonably available upland, confined aquatic, beneficial use, and open water disposal alternatives on the basis of relative risk, environmental acceptability, economics, practicability, and current technological feasibility;

"(iii) a disposal site will be specified after comparing the reasonably anticipated environmental and economic benefits of undertaking the underlying project to the status quo; and

"(iv) in comparing alternatives and selection of a disposal site, management measures may be considered and utilized to limit, to the extent practicable, adverse environmental effects by employing suitable chemical, biological, or physical techniques to prevent unacceptable adverse impacts on the environment.

"(3) JUDICIAL REVIEW OF FINAL REGULATIONS.—Any judicial review of final regulations issued pursuant to this section and the Secretary's denial of any petition for the issuance, amendment, or repeal of any regulation under this section shall be in accordance with sections 701 through 706 of title 5 of the United States Code; except that a petition for review of action of the Secretary in issuing any regulation or requirement under this section or denying any petition for the issuance, amendment, or repeal of any regulation under this section may be filed only in the United States Court of Appeals for the District of Columbia, and such petition shall be filed within 90 days from the date of such issuance or denial or after such date if such petition for review is based solely on grounds arising after such ninetieth day. Action of the Secretary with respect to which review could have been obtained under this subsection shall not be subject to judicial review in civil or criminal proceedings for enforcement.

"(4) INTERIM REGULATIONS.—The Secretary shall, within 90 days after the date of the enactment of the Comprehensive Wetlands Conservation and Management Act of 1995, issue interim regulations consistent with this section to take effect immediately. Notice of the interim regulations shall be published in the Federal Register, and such regulations shall be binding until the issuance of final regulations pursuant to paragraph (1); except that the Secretary shall provide adequate procedures for waiver of any provisions of such interim regulations to avoid special hardship, inequity, or unfair distribution of burdens or to advance the purposes of this section.

"(5) ADMINISTRATION BY SECRETARY.—Except where otherwise expressly provided in this section, the Secretary shall administer this section. The Secretary or any other Federal officer or agency in which any function under this section is vested or delegated is authorized to perform any and all acts (including appropriate enforcement activity), and to prescribe, issue, amend, or rescind such rules or orders as such officer or agency may find necessary or appropriate with this subsection, subject to the requirements of this subsection.

"(k) ENFORCEMENT.—

"(1) COMPLIANCE ORDER.—Whenever, on the basis of reliable and substantial information and after reasonable inquiry, the Secretary finds that any person is or may be in violation of this section or of any condition or limitation set forth in a permit issued by the Secretary under this section, the Secretary shall issue an order requiring such persons to comply with this section or with such condition or limitation.

"(2) NOTICE AND OTHER PROCEDURAL REQUIREMENTS RELATING TO ORDERS.—A copy of any order issued under this subsection shall be sent immediately by the Secretary to the Governor of the State in which the violation occurs and the Governors of other affected States. The person committing the asserted violation that results in issuance of the order shall be notified of the issuance of the order by personal service made to the appropriate person or corporate officer. The notice shall state with reasonable specificity the nature of the asserted violation and specify a time for compliance, not to exceed 30 days, which the Secretary determines is reasonable taking into account the seriousness of the asserted violation and any good faith efforts to comply with applicable requirements. If the person receiving the notice disputes the Secretary's determination, the person may file an appeal as provided in subsection (i). Within 60 days of a decision which denies an appeal, or within 150 days from the date of notification of violation by the Secretary if no appeal is filed, the Secretary shall prosecute a civil action in accordance with paragraph (3) or rescind such order and be estopped from any further enforcement proceedings for the same asserted violation.

"(3) CIVIL ACTION ENFORCEMENT.—The Secretary is authorized to commence a civil action for appropriate relief, including a permanent or temporary injunction, for any violation for which the Secretary is authorized to issue a compliance order under paragraph (1). Any action under this paragraph may be brought in the district court of the United States for the district in which the defendant is located or resides or is doing business, and such court shall have jurisdiction to restrain such violation and to require compliance. Notice of the commencement of such action shall be given immediately to the appropriate State.

"(4) CIVIL PENALTIES.—Any person who violates any condition or limitation in a permit issued by the Secretary under this section and any person who violates any order issued by the Secretary under paragraph (1) shall be subject to a civil penalty not to exceed $25,000 per day for each violation commencing on expiration of the compliance period if no appeal is filed or on the 30th day following the date of the denial of an appeal of such violation. The amount of the penalty imposed per day shall be in proportion to the scale or scope of the project. In determining the amount of a civil penalty, the court shall consider the seriousness of the violation or violations, the economic benefit (if any) resulting from the violation, any history of such violations, any good-faith efforts to comply with the applicable requirements, the economic impact of the penalty on the violator, and such other matters as justice may require.

"(5) CRIMINAL PENALTIES.—If any person knowingly and willfully violates any condition or limitation in a permit issued by the Secretary under this section or knowingly and willfully violates an order issued by the Secretary under paragraph (1) and has been notified of the issuance of such order under paragraph (2) and if such violation has resulted in actual degradation of the environment, such person shall be punished by a fine of not less than $5,000 nor

more than $50,000 per day of violation, or by imprisonment for not more than 3 years, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than $100,000 per day of violation, or imprisonment of not more than 6 years, or by both. An action for imposition of a criminal penalty under this paragraph may only be brought by the Attorney General.

"(l) STATE REGULATION.—

"(1) SUBMISSION OF PROPOSED STATE PROGRAM.—The Governor of any State desiring to administer its own individual or general permit program for some or all of the activities covered by this section within any geographical region within its jurisdiction may submit to the Secretary a description of the program it proposes to establish and administer under State law or under an interstate compact. In addition, such State shall submit a statement from the chief legal officer in the case of the State or interstate agency, that the laws of such State, or the interstate compact, as the case may be, provide adequate authority to carry out the described program.

"(2) STATE AUTHORITIES REQUIRED FOR APPROVAL.—Not later than 1 year after the date of the receipt by the Secretary of a program and statement submitted by any State under paragraph (1), the Secretary shall determine whether such State has the following authority with respect to the issuance of permits pursuant to such program—

"(A) to issue permits which—

"(i) apply, and assure compliance with, any applicable requirements of this section; and

"(ii) can be terminated or modified for cause, including—

"(I) violation of any condition of the permit;

"(II) obtaining a permit by misrepresentation, or failure to disclose fully all relevant facts; or

"(III) change in any condition that requires either a temporary or permanent reduction or elimination of the permitted activity;

"(B) to issue permits which apply, and ensure compliance with, all applicable requirements of section 308 of this Act or to inspect, monitor, enter, and require reports to at least the same extent as required in section 308 of this Act;

"(C) to ensure that the public, and any other State the waters of which may be affected, receive notice of each application for a permit and to provide an opportunity for public hearing before a ruling on each such application;

"(D) to ensure that the Secretary receives notice of each application for a permit and that, prior to any action by the State, both the applicant for the permit and the State have received from the Secretary information with respect to any advance classification applicable to wetlands that are the subject of such application;

"(E) to ensure that any State (other than the permitting State) whose waters may be affected by the issuance of a permit may submit written recommendation to the permitting State with respect to any permit application and, if any part of such written recommendations are not accepted by the permitting State, that the permitting State will notify such affected State (and the Secretary) in writing of its failure to so accept such recommendations together with its reasons for doing so; and

"(F) to abate violations of the permit or the permit program, including civil and criminal penalties and other ways and means of enforcement.

"(3) APPROVAL; RESUBMISSION.—If, with respect to a State program submitted under paragraph (1) of this section, the Secretary determines that the State—

"(A) has the authority set forth in paragraph (2), the Secretary shall approve the program and so notify such State and suspend the issuance of permits under subsection (b) for activities with respect to which a permit may be issued pursuant to the State program; or

"(B) does not have the authority set forth in paragraph (2) of this subsection, the Secretary shall so notify such State and provide a description of the revisions or modifications necessary so that the State may resubmit the program for a determination by the Secretary under this subsection.

"(4) EFFECT OF FAILURE OF SECRETARY TO MAKE TIMELY DECISION.—If the Secretary fails to make a determination with respect to any program submitted by a State under this subsection within 1 year after the date of receipt of the program, the program shall be treated as being approved pursuant to paragraph (3)(A) and the Secretary shall so notify the State and suspend the issuance of permits under subsection (b) for activities with respect to which a permit may be issued by the State.

"(5) TRANSFER OF PENDING APPLICATIONS FOR PERMITS.—If the Secretary approves a State permit program under paragraph (3)(A) or (4), the Secretary shall transfer any applications for permits pending before the Secretary for activities with respect to which a permit may be issued pursuant to the State program to the State for appropriate action.

"(6) GENERAL PERMITS.—Upon notification from a State with a permit program approved under this subsection that such State intends to administer and enforce the terms and conditions of a general permit issued by the Secretary under subsection (e) with respect to activities in the State to which such general permit applies, the Secretary shall suspend the administration and enforcement of such general permit with respect to such activities.

"(7) REVIEW BY SECRETARY.—Every 5 years after approval of a State administered program under paragraph (3)(A), the Secretary shall review the program to determine whether it is being administered in accordance with this section. If, on the basis of such review, the Secretary finds that a State is not administering its program in accordance with this section or if the Secretary determines based on clear and convincing evidence after a public hearing that a State is not administering its program in accordance with this section and that substantial adverse impacts to wetlands or waters of the United States are imminent, the Secretary shall notify the State and, if appropriate corrective action is not taken within a reasonable time, not to exceed 90 days after the date of the receipt of such notification, the Secretary shall—

"(A) withdraw approval of the program until the Secretary determines such corrective action has been taken; and

"(B) resume the program for the issuance of permits under subsections (b) and (e) for all activities with respect to which the State was issuing permits until such time as the Secretary makes the determination described in paragraph (2) and the State again has an approved program.

"(m) MISCELLANEOUS PROVISIONS.—

"(1) STATE AUTHORITY TO CONTROL DISCHARGES.—Nothing in this section shall preclude or deny the right of any State or interstate agency to control activities in waters within the jurisdiction of such State, including any activity of any Federal agency, and each such agency shall comply with such State or interstate requirements both substantive and procedural to control such activities to the same extent that any person is subject to such requirements. This section shall not be construed as affecting or impairing the authority of the Secretary to maintain navigation.

"(2) AVAILABILITY TO PUBLIC.—A copy of each permit application and each permit issued under this section shall be available to the public. Such permit application or portion thereof shall further be available on request for the purpose of reproduction.

"(3) PUBLICATION IN FEDERAL REGISTER.—The Secretary shall have published in the Federal Register all memoranda of agreement, regulatory guidance letters, and other guidance documents of general applicability to implementation of this section at the time they are distributed to agency regional or field offices. In addition, the Secretary shall prepare, update on a biennial basis and make available to the public for purchase at cost—

"(A) an indexed publication containing all Federal regulations, general permits, memoranda of agreement, regulatory guidance letters, and other guidance documents relevant to the permitting of activities pursuant to this section; and

"(B) information to enable the general public to understand the delineation of wetlands, the permitting requirements referred to in subsection (e), wetlands restoration and enhancement, wetlands functions, available nonregulatory programs to conserve and restore wetlands, and other matters that the Secretary considers relevant.

"(4) COMPLIANCE.—

"(A) COMPLIANCE WITH PERMIT.—Compliance with a permit issued pursuant to this section, including any activity carried out pursuant to a general permit issued under this section, shall be deemed in compliance, for purposes of sections 309 and 505, with sections 301, 307, and 403.

"(B) CRANBERRY PRODUCTION.—Activities associated with expansion, improvement, or modification of existing cranberry production operations shall be deemed in compliance, for purposes of sections 309 and 505, with section 301, if—

"(i) the activity does not result in the modification of more than 10 acres of wetlands per operator per year and the modified wetlands (other than where dikes and other necessary facilities are placed) remain as wetlands or other waters of the United States; or

"(ii) the activity is required by any State or Federal water quality program.

"(5) LIMITATION ON FEES.—Any fee charged in connection with the delineation or classification of wetlands, the submission or processing of an application for a permit authorizing an activity in wetlands or waters of the United States, or any other action taken in compliance with the requirements of this section (other than fines for violations under subsection (k)) shall not exceed the amount in effect for such fee on February 15, 1995.

"(6) BALANCED IMPLEMENTATION.—

"(A) IN GENERAL.—In implementing his or her responsibilities under the regulatory program under this section, the Secretary shall balance the objective of conserving functioning wetlands with the objective of ensuring continued economic growth, providing essential infrastructure, maintaining strong State and local tax bases, and protecting against the diminishment of the use and value of privately owned property.

"(B) MINIMIZATION OF ADVERSE EFFECTS ON PRIVATE PROPERTY.—In carrying out this section, the Secretary and the heads of all other Federal agencies shall seek in all actions to minimize the adverse effects of the regulatory program under this section on the use and value of privately owned property.

"(7) PROCEDURES FOR EMERGENCIES.—The Secretary shall develop procedures for facilitating actions under this section that are necessary to respond to emergency conditions (including flood events and other emergency situations) which may involve loss of life and property damage. Such procedures shall address circumstances requiring expedited approvals as

well as circumstances requiring no formal approval under this section.

"(8) USE OF PROPERTY.—For purposes of this section, a use of property is limited by an agency action if a particular legal right to use that property no longer exists because of the action.

"(9) LIMITATION ON CLASSIFICATION OF CERTAIN WATERS.—For purposes of this section, no water of the United States or wetland shall be subject to this section based solely on the fact that migratory birds use or could use such water or wetland.

"(10) TRANSITION RULES.—

"(A) PERMIT REQUIRED.—After the effective date of this section under section 806 of the Comprehensive Wetlands Conservation and Management Act of 1995, no permit for any activity in wetlands or waters of the United States may be issued except in accordance with this section. Any application for a permit for such an activity pending under this section on such effective date shall be deemed to be an application for a permit under this section.

"(B) PRIOR PERMITS.—Any permit for an activity in wetlands or waters of the United States issued under this section prior to the effective date referred to in subparagraph (A) shall be deemed to be a permit under this section and shall continue in force and effect for the term of the permit unless revoked, modified, suspended, or canceled in accordance with this section.

"(C) REEVALUATION.—

"(i) PETITION.—Any person holding a permit for an activity in wetlands or water of the United States on the effective date referred to in subparagraph (A) may petition, after such effective date, the Secretary for reevaluation of any decision made before such effective date concerning (I) a determination of regulatory jurisdiction under this section, or (II) any condition imposed under the permit. Upon receipt of a petition for reevaluation, the Secretary shall conduct the reevaluation in accordance with the provisions of this section.

"(ii) MODIFICATION OF PERMIT.—If the Secretary finds that the provisions of this section apply with respect to activities and lands which are subject to the permit, the Secretary shall modify, revoke, suspend, cancel, or continue the permit as appropriate in accordance with the provisions of this section; except that no compensation shall be awarded under this section to any person as a result of reevaluation pursuant to this subparagraph and, if the permit covers activities in type A wetlands, the permit shall continue in effect without modification.

"(iii) PROCEDURE.—The reevaluation shall be carried out in accordance with time limits set forth in subsection (e)(5) and shall be subject to administrative appeal under subsection (i).

"(D) PREVIOUSLY DENIED PERMITS.—No permit shall be issued under this section, no exemption shall be available under subsection (f), and no exception shall be available under subsection (g)(1)(B), for any activity for which a permit has previously been denied by the Secretary on more than one occasion unless such activity—

"(i) has been approved by the affected State, county, and local government within the boundaries of which the activity is proposed;

"(ii) in the case of unincorporated land, has been approved by all local governments within 1 mile of the proposed activity; and

"(iii) would result in a net improvement to water quality at the site of such activity.

"(11) DEFINITIONS.—In this section the following definitions apply:

"(A) ACTIVITY IN WETLANDS OR WATERS OF THE UNITED STATES.—The term 'activity in wetlands or waters of the United States' means—

"(i) the discharge of dredged or fill material into waters of the United States, including wetlands at a specific disposal site; or

"(ii) the draining, channelization, or excavation of wetlands.

"(B) AGENCY.—The term 'agency' has the meaning given that term in section 551 of title 5, United States Code.

"(C) AGENCY ACTION.—The term 'agency action' has the meaning given that term in section 551 of title 5, United States Code, but also includes the making of a grant to a public authority conditioned upon an action by the recipient that would constitute a limitation if done directly by the agency.

"(D) AGRICULTURAL LAND.—The term 'agricultural land' means cropland, pastureland, native pasture, rangeland, an orchard, a vineyard, nonindustrial forest land, an area that supports a water dependent crop (including cranberries, taro, watercress, or rice), and any other land used to produce or support the production of an annual or perennial crop (including forage or hay), aquaculture product, nursery product, or wetland crop or the production of livestock.

"(E) CONSERVED WETLANDS.—The term 'conserved wetlands' means wetlands that are located in the National Park System, National Wildlife Refuge System, National Wilderness System, the Wild and Scenic River System, and other similar Federal conservation systems, combined with wetlands located in comparable types of conservation systems established under State and local authority within State and local land use systems.

"(F) ECONOMIC BASE LANDS.—The term 'economic base lands' means lands conveyed to, selected by, or owned by Alaska Native entities pursuant to the Alaska Native Claims Settlement Act, Public Law 92-203 or the Alaska Native Allotment Act of 1906 (34 Stat. 197), and lands conveyed to, selected by, or owned by the State of Alaska pursuant to the Alaska Statehood Act, Public Law 85-508.

"(G) FAIR MARKET VALUE.—The term 'fair market value' means the most probable price at which property would change hands, in a competitive and open market under all conditions requisite to a fair sale, between a willing buyer and a willing seller, neither being under any compulsion to buy or sell and both having reasonable knowledge of relevant facts, at the time the agency action occurs.

"(H) LAW OF A STATE.—The term 'law of a State' includes the law of a political subdivision of a State.

"(I) MITIGATION BANK.—The term 'mitigation bank' means a wetlands restoration, creation, enhancement, or preservation project undertaken by one or more parties, including private and public entities, expressly for the purpose of providing mitigation compensation credits to offset adverse impacts to wetlands or other waters of the United States authorized by the terms of permits allowing activities in such wetlands or waters.

"(J) NAVIGATIONAL DREDGING.—The term 'navigational dredging' means the dredging of ports, waterways, and inland harbors, including berthing areas and local access channels appurtenant to a Federal navigation channel.

"(K) PROPERTY.—The term 'property' means land and includes the right to use or receive water.

"(L) SECRETARY.—The term 'Secretary' means the Secretary of the Army.

"(M) STATE WITH SUBSTANTIAL CONSERVED WETLANDS AREAS.—The term 'State with substantial conserved wetlands areas' means any State which—

"(i) contains at least 10 areas of wetlands for each acre of wetlands filled, drained, or otherwise converted within such State (based upon wetlands loss statistics reported in the 1990 United States Fish and Wildlife Service Wetlands Trends report to Congress entitled 'Wetlands Losses in the United States 1780's to 1980's'); or

"(ii) the Secretary of the Army determines has sufficient conserved wetlands areas to provided adequate wetlands conservation in such State, based on the policies set forth in this Act.

"(N) WETLANDS.—The term 'wetlands' means those lands that meet the criteria for delineation of lands as wetlands set forth in subsection (g).".

SEC. 804. DEFINITIONS.

Section 502 (33 U.S.C. 1362) is further amended—

(1) in paragraph (6)—

(A) by striking "dredged spoil,";

(B) by striking "or (B)" and inserting "(B)"; and

(C) by inserting before the period at the end "; and (C) dredged or fill material"; and

(2) by adding at the end thereof the following new paragraphs:

"(28) The term 'wetlands' means lands which have a predominance of hydric soils and which are inundated by surface water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

"(29) The term 'creation of wetlands' means an activity that brings a wetland into existence at a site where it did not formerly occur for the purpose of compensatory mitigation.

"(30) The term 'enhancement of wetlands' means any activity that increases the value of one or more functions in existing wetlands.

"(31) The term 'fastlands' means lands located behind legally constituted man-made structures or natural formations, such as levees constructed and maintained to permit the utilization of such lands for commercial, industrial, or residential purposes consistent with local land use planning requirements.

"(32) The term 'wetlands functions' means the roles wetlands serve, including flood water storage, flood water conveyance, ground water recharge, erosion control, wave attenuation, water quality protection, scenic and aesthetic use, food chain support, fisheries, wetlands plant habitat, aquatic habitat, and habitat for wetland dependent wildlife.

"(33) The term 'growing season' means, for each plant hardiness zone, the period between the average date of last frost in spring and the average date of first frost in autumn.

"(34) The term 'incidentally created wetlands' means lands that exhibit wetlands characteristics sufficient to meet the criteria for delineation of wetlands, where one or more of such characteristics is the unintended result of human induced alterations of hydrology.

"(35) The term 'maintenance' when used in reference to wetlands means activities undertaken to assure continuation of a wetland or the accomplishment of project goals after a restoration or creation project has been technically completed, including water level manipulations and control of nonnative plant species.

"(36) The term 'mitigation banking' means wetlands restoration, enhancement, preservation or creation for the purpose of providing compensation for wetland degradation or loss.

"(37) The term 'normal farming, silviculture, aquaculture and ranching activities' means normal practices identified as such by the Secretary of Agriculture, in consultation with the Cooperative Extension Service for each State and the land grant university system and agricultural colleges of the State, taking into account existing practices and such other practices as may be identified in consultation with the affected industry or community.

"(38) The term 'prior converted cropland' means any agricultural land that was manipulated (by drainage or other physical alteration to remove excess water from the land) or used for the production of any annual or perennial agricultural crop (including forage or hay),

aquacultural product, nursery product or wetlands crop, or the production of livestock before December 23, 1985.

"(39) The term 'restoration' in reference to wetlands means an activity undertaken to return a wetland from a disturbed or altered condition with lesser acreage or fewer functions to a previous condition with greater wetlands acreage or functions.

"(40) The term 'temporary impact' means the disturbance or alteration of wetlands caused by activities under circumstances in which, within 3 years following the commencement of such activities, such wetlands—

"(A) are returned to the conditions in existence prior to the commencement of such activity; or

"(B) display conditions sufficient to ensure, that without further human action, such wetlands will return to the conditions in existence prior to the commencement of such activity.

"(41) The term 'airport hazard' has the meaning such term has under section 47102 of title 49, United States Code.".

SEC. 805. TECHNICAL AND CONFORMING AMENDMENTS.

(a) VIOLATION.—Section 301(a) (33 U.S.C. 1311(a)) is amended—

(1) by striking "402, and 404" and inserting "and 402"; and

(2) by adding at the end the following: "Except as in compliance with this section and section 404, the undertaking of any activity in wetlands or waters of the United States shall be unlawful.".

(b) FEDERAL ENFORCEMENT.—Section 309 (33 U.S.C. 1319) is amended—

(1) in subsection (a)(1) by striking "or 404";

(2) in subsection (a)(3) by striking "or in a permit issued under section 404 of this Act by a State";

(3) in each of subsections (c)(1)(A) and (c)(2)(A) by striking "or in a permit" and all that follows through "State;" and inserting a semicolon;

(4) in subsection (c)(3)(A) by striking "or in a permit" and all that follows through "State, and" and inserting "and";

(5) by adding at the end of subsection (c) the following:

"(8) TREATMENT OF CERTAIN VIOLATIONS.—Any person who violates section 301 with respect to an activity in wetlands or waters of the United States for which a permit is required under section 404 shall not be subject to punishment under this subsection but shall be subject to punishment under section 404(k)(5).";

(6) in subsection (d) by striking ", or in a permit issued under section 404 of this Act by a State,";

(7) by adding at the end of subsection (d) the following: "Any person who violates section 301 with respect to an activity in wetlands or waters of the United States for which a permit is required under section 404 shall not be subject to a civil penalty under this subsection but shall be subject to a civil penalty under section 404(k)(4).";

(8) in subsection (g)(1)—

(A) by striking "—" and all that follows through "(A)";

(B) by striking "or in a permit issued under section 404 by a State, or"; and

(C) by striking "(B)" and all that follows through "as the case may be," and inserting "the Administrator";

(9) by adding at the end of subsection (g) the following:

"(12) TREATMENT OF CERTAIN VIOLATIONS.—Any person who violates section 301 with respect to an activity in wetlands or waters of the United States for which a permit is required under section 404 shall not be subject to assessment of a civil penalty under this subsection but shall be subject to assessment of a civil penalty under section 404(k)(4).";

(10) by striking "or Secretary", "or the Secretary", "or the Secretary, as the case may be,", "or Secretary's", and "and the Secretary" each place they appear; and

(11) in subsection (g)(9)(B) by inserting a comma after "Administrator".

SEC. 806. EFFECTIVE DATE.

This title, including the amendments made by this title, shall take effect on the 90th day following the date of the enactment of this Act.

Mr. VENTO. Mr. Chairman, I rise in opposition to H.R. 961, the Clean Water Act amendments, a measure which represents a retreat from over 20 years of progress and commitment and since presented on the floor this week has become increasingly weakened by further amendments being added.

The first 3 months of this 104th Congress has with the Republican "Contract" represented an assault on the sound, fair and needed environmental laws enacted on a bipartisan basis the past four decades.

The Clean Water Act [CWA] has been a good success with extraordinary achievements and effort within the Federal framework. State and local governments have been spurred to positive action with an effective national framework of law and funding to help achieve the objectives and standards. Each instance when the law was rewritten resulted in pragmatic adjustments and amendments reinforcing and empowering safety, health and environmental considerations. As new information and pressures impact the range of law and issues inherent regarding the CWA, efforts have been made to respond.

That is changed in the measure H.R. 961 that is being promoted in the Congress today.

This legislation is a denial of the problem and trades short-term gain for a narrow group of special interests against the long term problems of despoiling the safety, health and environment of the people.

This negative initiative discards the lessons of the past, abandons the investments made by the Federal and State Governments as it sacrifices sound standards to political expediency; it is wrong for the economy and the environment.

The measure H.R. 961 includes provisions waiving secondary treatment facilities, replaces the wetland delineation with loose State process and creates a new payment entitlement system to reward polluters for not polluting, the measure H.R. 961 repeals existing law for special runoff control provisions for coastal areas, repeals the existing storm water management program. An effort to restore these provisions was rejected save the amendment addressing some coastal provisions—which no doubt will be revoted before we complete this measure in the House. Candidly, the fingerprints of special interests are all over this bill as it left committee, in fact it's an open secret that portions of the bill, the CWA 1995, have been written by the lobbyists. It isn't just the environment that is being despoiled; it is the Congress and the House in such a mode of behavior and activity that is being despoiled.

The bottom line is that this measure represents a retreat, a reneging on the commitment to clean water and sound environmental policy.

Dismantling the Federal role and the Federal Government and the coordination, collaboration that is inherent to the Federal Government role is absolutely essential to sound environmental policy, to clean water, to clean air, to the protection of biodiversity. In fact, today we, the Congress, should be pursuing global agreements, not turning back and away from science and sound policy.

Congress can't achieve sound environmental policy in the absence of a weakened or undercut Federal policy and as nature abhors a vacuum, the power of the people, the Federal Government, is being filled by the big corporations and special interests who put private profit and interest first and the American people second. We must reject this measure and flawed policy and philosophy.

Mr. SHUSTER. Mr. Chairman, I move to strike the last word.

I do that simply to announce that it is my understanding we will take up the wetlands debate Monday evening after the votes occur on suspensions, but there will be no votes on the wetlands debate Monday evening and we will move to the continuation of this bill Tuesday morning, with an objective of finishing this legislation by Tuesday night.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. FOX of Pennsylvania) having assumed the chair, Mr. MCINNIS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 961) to amend the Federal Water Pollution Control Act, had come to no resolution thereon.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

LEGISLATIVE PROGRAM

(Mr. GEPHARDT asked and was given permission to address the House for 1 minute.)

Mr. GEPHARDT. Mr. Speaker, I yield to the distinguished gentleman from Texas [Mr. ARMEY] for the purpose of discussing the schedule for next week.

Mr. ARMEY. Mr. Speaker, I thank the gentleman from Missouri for yielding.

Mr. Speaker, on Monday, May 15, the House will meet at 12 p.m. for legislative business. We will consider three bills under suspension of the rules: a resolution expressing the sense of the House that Japan should immediately eliminate barriers to United States exports on autos and auto parts.

Mr. Speaker, let me just mention with respect to this bill, out of consideration for the gentleman from Michigan [Mr. LEVIN], it is possible that this

may not be considered until Tuesday. We will see if we can work that out.

We will continue then on Monday with H.R. 1045, legislation eliminating the National Education Standards and Improvement Council, and H.R. 1266, the Greens Creek Land Exchange Act of 1995.

□ 1300

We then plan to take up the rules for three hatchery bills: H.R. 614, the New London National Fish Hatchery Conveyance; H.R. 584, the Fairport National Fish Hatchery Conveyance; and H.R. 535, the Corning National Fish Hatchery Conveyance.

Mr. Speaker, if any recorded votes are ordered, they will not take place before 5 p.m. on Monday evening.

We then plan to return to debate on amendments to H.R. 961, the Clean Water Amendments Act of 1995.

On Tuesday the House will meet at 10 a.m. to consider one bill under suspension of the rules.

Mr. Speaker, that bill is H.R. 1590, legislation requiring the trustees of the Medicare trust fund to report recommendations on resolving the projected financial insolvency of the trust funds.

We then plan to continue consideration of amendments for the clean water legislation.

Mr. Speaker, it is our hope and our intention that we will be able to complete the clean water legislation on Tuesday, and we will continue working between the majority and minority floor managers with those people who have amendments to see what arrangements we can make to assure completion within that timeframe and still give it as much consideration as possible to the Members. But it is our hope and I think with some confidence I can say our intention to complete the bill in that time.

That will make it possible, Mr. Speaker, on Wednesday for the House to meet at 10 a.m. and consider the three hatchery bills made in order under the rules adopted on Monday. We will then begin general debate on the fiscal year 1996 budget resolution. Members should be advised that the House may work late on Wednesday evening.

On Thursday the House will meet at 9 a.m. We plan to recess immediately to honor former Members of Congress, and then reconvene at 10 a.m. to return to debate and consideration of substitutes to the committee-passed fiscal year 1996 budget resolution.

It is our hope to have Members on their way home to their families and their districts by approximately 6:30 p.m. on Thursday night.

There will be no votes on Friday, May 19.

I thank the gentleman for yielding.

Mr. GEPHARDT. I would like to ask the distinguished majority leader a couple of questions. First, do you expect votes on Monday night on clean water amendments?

Mr. ARMEY. No. We can have some of the debate, but we expect no votes on the Clean Water Act on Monday night.

Mr. GEPHARDT. Second, I would like to ask if we could reserve the time between say 2 p.m. and 5 p.m. on Monday for special orders, instead of recessing.

Mr. ARMEY. I do not believe we can make this agreement at this point because we have suspensions we must look at.

Mr. GEPHARDT. Finally, in looking at the schedule, it appears that we are talking about a 4-hour period for debate on the budget. And I must say to the distinguished majority leader that there is a lot of desire I am sure on both sides of the aisle to adequately debate this very important budget, and the changes that are being proposed by many Members in the budget, and I would like to ask if we could perhaps see more time for debate in this period that you have set out.

Mr. ARMEY. I do appreciate the gentleman's point. The Committee on Rules has not issued a rule on debate for the budget, and I am sorry I cannot report on how much time will be made available, and I know there are discussions taking place on that.

Mr. GEPHARDT. I would just say to the gentleman that we had been hoping for more like 14 hours of general debate. This is a very important document for the future of the country, and people deserve to know exactly what the alternatives are and how they would work and allow for adequate debate, so I urge the Committee on Rules to take that under consideration. I know these hatchery bills are probably important somewhere, but probably more important and especially to a bass fisherman of such renown as the majority leader, but maybe we could get to the budget a little faster and have more time to use.

Mr. ARMEY. Again let me say I do appreciate that. It is a point perhaps you want to communicate to the Committee on Rules, and I would certainly be willing to do the same. This is a very important piece of legislation. I know those members of the Joint Economic Committee that generally conduct what is know as the Humphrey-Hawkins debate have expressed their concern, and we will continue to encourage the Committee on Rules.

Mr. GEPHARDT. I yield to the gentleman from Louisiana.

Mr. TAUZIN. I thank the minority leader for yielding. I suppose the question I want to ask is in terms of Monday night's treatment of the current bill we are on, the Clean Water Act, I understand there will be no votes Monday night, but will there be debate on amendments, and how long will we go Monday night, do you expect?

Mr. ARMEY. Again I thank the gentleman. The debate that we have Monday night will be on the Boehlert amendments. We would probably, possibly debate for as much as an hour or an hour and one-half. One of the things we are going to be very sensitive to is there be some time retained so that there will be closing comments made before the vote is taken on the next day.

Any Members that wish to participate in that debate on the Boehlert amendment should be advised, though, that their best opportunity to do so would be Monday evening, because we do have a real resolve to complete the bill on Tuesday, and, therefore, between the floor managers there may be a need to do some time arrangements for Tuesday. So if you are anxious to be a part of that debate relative to wetlands that is known as the Boehlert amendment, I would encourage you to be here Monday night.

Mr. GEPHARDT. I yield to the gentleman from California.

Mr. MINETA. I thank the leader for yielding. I was just going to ask relative to the debate, then we would still have all of Monday without any limitation, is that what I hear? How long do you anticipate that we would then be going on Monday?

Mr. ARMEY. Monday evening.

Mr. MINETA. No set time?

Mr. ARMEY. No, there would be no set time. Of course, participation is determined by the number of Members here. We would obviously like to get as much of that debate out of the way while still retaining some opportunity for the principals to have some statements before the end of debate.

Mr. MINETA. I would also like to ask, the Pennsylvania primary or I guess Philadelphia city elections are on Tuesday, and there have been some comments from our colleagues in the Philadelphia area about that. So if they are not able to be back for Monday night's general debate, would they still be able to do general debate or at least make some statements on Tuesday?

Mr. ARMEY. We would try to accommodate that. Of course as you know the reason we have determined not to have votes Monday night is out of consideration for those folks. Certainly we will talk to them. And of course the sponsor of the amendment would want to have some comments prior to the vote on Tuesday and perhaps one or two others, so we will try to be as accommodating as possible.

Mr. GEPHARDT. I yield to the gentleman from Texas.

Mr. DOGGETT. I thank the gentleman for yielding, and I would ask the distinguished majority leader, I am troubled to hear of even the possibility that this budget might get as little as 4 hours of time. It has been described as a revolutionary budget, and I know

as one of I guess what would be the chief revolutionaries you would have some concern about explaining it fully, and that is barely 1 hour for $100 billion of Medicare cuts, and I would hope you would work with the Committee on Rules so that we could have a full and complete debate extending over at least a couple of days to explore what this budget means for ordinary American families.

Mr. ARMEY. Let me just say I thank the gentleman from Texas for that observation, and as I said to the gentleman from Missouri, we will work with the Committee on Rules to get as full a debate as we can.

Mr. DOGGETT. I thank the gentleman.

Mr. GEPHARDT. I thank the gentleman.

FORMAT FOR MORNING HOUR DEBATES AND SPECIAL ORDERS

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the order of the House of January 4, 1995, relating to morning hour debates be continued through the adjournment of the 2d session of the 104th Congress sine die, except that on Tuesdays the House shall convene for such debates 1 hour earlier than the time otherwise established by order of the House rather than 90 minutes earlier; and the time for such debates shall be limited to 25 minutes allocated to each party rather than 30 minutes to each; but in no event shall such debates continue beyond the time that falls 10 minutes before the appointed hour for the resumption of legislative business, and with the understanding that the format for recognition for special order speeches first instituted on February 23, 1994, be continued for the same period.

Mr. DOGGETT. Reserving the right to object, Mr. Speaker, these morning hour debates are very important to both sides and I understand there has been consultation on this. We applaud the gentleman's effort.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

ADJOURNMENT TO MONDAY, MAY 15, 1995

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10:30 a.m. on Monday next for morning hour debates.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

HOUR OF MEETING ON THURSDAY, MAY 18, 1995

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Wednesday, May 17, 1995, it adjourn to meet at 9 a.m. on Thursday, May 18, 1995, for the purpose of receiving in this Chamber former Members of Congress.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

AUTHORIZING THE SPEAKER TO DECLARE A RECESS ON THURSDAY, MAY 18, 1995, FOR THE PURPOSE OF RECEIVING FORMER MEMBERS OF CONGRESS

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker to declare a recess, subject to the call of the Chair, on Thursday, May 18, 1995, for the purpose of receiving in this Chamber former Members of Congress.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 1-minute speeches.

REPUBLICAN BUDGET DOES NOT CUT MEDICARE

(Mr. HASTERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HASTERT. Mr. Speaker, for the last few days, liberal Democrats have taken to the floor to denounce so-called Medicare cuts.

What cuts?

Where are they?

This chart clearly shows that under the House Republican budget, Medicare funding will increase.

This year, we will spend over $150 billion on Medicare.

This will not decrease.

Let me be absolutely clear about this—Medicare funding will not decrease.

Under the House Republican plan, Medicare spending will have increased to about $230 billion by the year 2002.

Let me say that again—Medicare spending will be $230 billion in the year 2002. Now, if Medicare spending is $150 billion this year and $230 billion seven years from now, that is an increase in Medicare spending. Where's the cut?

Only in Washington could an increase be a cut.

Well, the American people are tired of the old Washington accounting methods. Those methods are the very reason we have a $5 trillion debt.

Republicans are committed to scrapping the old Washington accounting methods and replacing them with the truth, something not often seen around here.

MEDICARE INCREASES

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, as we go home for Mother's Day, I think all of us know that mothers have that extrasensory perception about when people are fudging. Well, let me tell you, there is going to be a lot of fudging going on here about this budget. You are going to hear it's traditional family values.

But let me ask a question? Do you know any family in America that when they pull up to the table to put their budget together says let us push the children away and let us push the elderly away, the most vulnerable in the family, so those who are doing real well can get a larger piece of the pie? I do not know any family like that. That is the traditional mogul budget.

So we have really turned it on its head and turned traditional family values into traditional mogul values. And if you are really wondering what to get your mother this year for Mother's Day, they have now answered the question. Send her a check, send her cash. She is going to need at least $900 to $1,000 a year because there is going to be an increase in premiums and an increase in all things that affect her Medicare.

Not a good Mother's Day present.

□ 1315

LET US EXERCISE LEADERSHIP

Mr. BUYER. To my good friend from Colorado, I think there is a big difference between families in America. Her vision is she wants every family in America to drive the very same type of car and for everybody to have the same piece in size.

I submit right now we are going to hear a lot of rhetoric with regard to the Nation's budget.

It is interesting, this morning, though, when I saw C-SPAN, I got to

see the Vice President, the minority leader here in the House, the minority leader in the Senate. They were asked a very important question by a member of the press. Intriguing. "What is your plan to balance the Nation's budget without a tax increase in 7 years?" They looked at each other, and there was complete silence for a good 4 or 5 seconds. It was wonderful. It reminded me almost of the Three Stooges; I saw Curley, Larry, and Mo. They stood and all kind of looked at each other.

The answer is they have no plan.

So my message is: Stop the squawking, stop the whining, and let us get down and work on the Nation's business, roll up our sleeves, and let us do it. Because this is very serious business.

You want to talk about what happens to the American family, the lady from Colorado, the greatest threat to the American family today is the national debt. That is the greatest threat.

Folks, if we are successful, and it is now 2002, the national debt will be in excess of $7 trillion. Stop squawking, and let us exercise leadership.

CALLING FOR THE NAMING OF AN INDEPENDENT COUNSEL

(Mr. VOLKMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VOLKMER. Mr. Speaker, today marks the 113th day since the formation of the House Ethics Committee, and no substantial action has yet been taken with regard to our imperial Speaker's serious ethics problems. Four very serious complaints have been filed and have been pending before the Ethics Committee now for months, yet no action. It is obvious that an independent counsel is needed. I advise the Ethics Committee to follow the advice that Congressman GINGRICH gave on July 28, 1988, when he said,

> The rules normally applied by the Ethics Committee to an investigation of a typical Member are insufficient in an investigation of the Speaker of the House . . . clearly this investigation has to meet a higher standard of public accountability.

I call on Chairperson JOHNSON and members of the Ethics Committee to quit dragging their feet and name an independent counsel. Inactivity by the Ethics Committee and press releases from the Gingrich legal team will not clear up this most serious situation. An independent counsel will.

PROTECTING OUR CHILDREN'S FUTURE

(Mr. TATE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TATE. Mr. Speaker, within a decade, entitlements and interest will consume the entire national debt, and the President has presented no balanced budget, and the Clinton Democrats across the aisle have continued the status quo.

The Republicans have announced a plan to balance the budget and to protect our children's future, and the Democrats have announced yesterday that they have no plan.

Well, let me tell you, folks, here is their plan. Right here is what they do on Medicare to save it. Right down here is what they do to protect our children. Right down here is what they do to provide tax relief for working families.

Folks, there is no plan. That is the fact. The Republicans have a plan, a plan to balance the budget, protect our children's future and to protect, preserve, and improve Medicare.

The Republicans are willing to stand up to the plate and be counted and protect our future. The Democrats have their plan right here.

Take a look.

REPUBLICAN PLAN UNFAIR TO MOST VULNERABLE POPULATIONS

(Mr. WATT of North Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WATT of North Carolina. Mr. Speaker, as we approach the budget debate next week, I think it is important for the American people to put this in perspective.

We have cut taxes now $600 to $700 billion over the next 10 years to benefit the wealthy people. Now we have got to come up with some cuts in the budget to offset that lost revenue, $600 to $700 billion, to offset cuts in taxes for rich people.

Well, we started by trying to do that on the backs of poor people, and we realized that there was not enough money in poor people's programs to do that. So now, next week, we are turning our attention to our senior citizens, and we will try to finish this job under the Republican plan by balancing the budget on the backs of our senior citizens, poor people, senior citizens, balance the budget on their backs, my colleagues say. Unfair to our most vulnerable populations.

PRESERVING THE AMERICAN DREAM

(Mr. RIGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RIGGS. Mr. Speaker and colleagues, yesterday House Republicans offered a plan to balance the Federal budget by the year 2002. Our plan allocates $11 trillion for Federal spending over the next 7 years. It protects Social Security. It eliminates three Cabinet-level departments, 13 agencies and 284 Federal programs, and it provides the much needed tax relief for families, as promised in our Contract With America.

Now, let us look at what will happen if we take the House Democrats' approach and do nothing but maintain the status quo. A child born this year can expect to pay $187,000 over the course of his or her lifetime as a wage earner and taxpayer just in interest on the national debt, and in 2 years, interest on the national debt will exceed defense spending as the single largest item in the Federal budget.

Mr. Speaker, which alternative would the House choose next week: the status quo or a plan to balance the budget by limiting the growth in Federal spending and eliminating wasteful spending and programs that simply have outlived their usefulness?

The answer is clear. We have to balance the Federal budget. We have a moral imperative to preserve the American dream for our children and our grandchildren.

BALANCE PRIORITIES FIRST

(Mrs. CLAYTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CLAYTON. Mr. Speaker, you can take each dollar that the majority plans to spend on the wealthy through their tax break and spend it on older Americans through Medicare and still have moneys to balance the budget come the year 2002.

One wonders why there is such an insistence by the majority to take from the poor and give to the wealthy. When one examines the record, you see a consistent pattern. That consistent pattern says if you are a pregnant woman, you are out of luck, and if you are an infant baby, certainly you do not count, and if you are from rural America, you can be ignored, and if you are poor, you do not matter, and if you are a senior citizen, you are too late.

This weekend we will celebrate Mother's Day. Mothers have always taught us, and we are reminded on Mother's Day, get your priorities right. How we spend our moneys and where we spend our moneys says a lot about us. It says what is important. It says to America that those who spend more than $200,000 certainly are of more consequence than those who earn less.

It says to America that mothers do not count. It says to the working America we have nothing at all to celebrate this Mother's Day.

WHERE IS THE CUT?

(Mr. CHABOT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CHABOT. Mr. Speaker, where is the cut? This chart shows that under the Republican budget plan, Medicare spending will increase by nearly $100 billion over the next 7 years.

Now, this second chart that we are going to show here shows that spending per recipient for welfare recipients will go from $4,700 up to $6,300 per person.

Now, I know this has to come as a complete shock to my friends on the other side of the aisle who spare no opportunity to scream about imagined Medicare cuts. They look at America and they see only two kinds of people: The wealthy and the victimized. The wealthy are, of course, evil and in need of punishment. The victims need protection, and they think that only liberal Democrats here in Congress can provide that protection.

Well, the liberal political world view has been almost totally rejected by the American people. Americans are tired of excuses. They are tired of the slick blame game, and they will not be scared by the liberal Democrat shrieks they hear here in Congress anymore. These are imaginary cuts. They do not exist.

REPUBLICAN MEDICARE CUTS

(Mr. DOGGETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOGGETT. Mr. Speaker, with Mother's Day on Sunday, we are reminded of the commandment to "honor thy father and thy mother." And, my, how our fathers and our mothers and our seniors all over this country have been honored this week. They have been honored with $300 billion, almost, of Medicare cuts, and they can bring charts up here all day and all night and all week long.

Apparently, they want to limit the time to discuss this to the bare minimum, but they cannot deny the fact that under existing law they are cutting Medicare by almost $300 billion.

It is not a matter of what happens here in the Halls of Congress. It is the way the American people will view these cuts. If you do not understand a cut is a cut, go out and ask the seniors across this country and the people that care for them what it means that in order to get the same level of care, your medical deductible is doubled, your premiums go up every month, suddenly you have to pay for home health care and for lab services.

You may not call that a cut, but a senior citizen that faces the decision of whether to eat or whether to get health care is going to view it as the very serious cut that it is.

ENTERING THE BUDGET DEBATE WITH FACTS

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, you know, Sunday is Mothers' Day. I do not remember my mother in the 40 years that I have been her son, worrying about the Federal budget on Mother's Day. I just do not see ourselves sitting around the house and ringing, "Oh, my goodness, the Democrats are not going to get their way in Congress. Mother's Day is ruined."

You know, my mom, my family, we do just fine without the Federal Government running our lives, and that is what the American people want: less Federal Government intervention in the family.

The families of America want the Federal Government out of the picture. The best way to protect the family is to make sure that we have a balanced budget so that there will be a Government that is not totally bankrupt in our future, which my mother's grandchildren and their grandchildren will enjoy.

You know, a great political campaign was run on this slogan: "If not us, who; if not now, when; if not this, what?"

The Democrats' answer to that question, "Well, if not us, somebody; if not now, someday; and if not this, we do not know."

You know, it is time to come to the table with specifics. Are you going to balance the budget, or are you going to sit here and scare everybody in America that the sky is falling? Let us get responsible; let us enter the debate with the true spirit of facts and not rhetoric.

MEDICARE IS ON THE BLOCK

(Mr. WISE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WISE. Mr. Speaker, the previous speaker and I can probably agree on one thing; and that is, we hope everybody has a happy Mother's Day. We hope they are not worried about the Federal budget and the deficit problems.

However, I would observe I have looked at this budget carefully. I have seen what it does to Medicare. As someone observed yesterday, the best thing you can do for mother this year is do not send flowers, send a check.

Because the fact is there is a real cut in Medicare, $300 billion, and, yes, I have heard that, well, the spending increases. But what happens if, instead of two people there are now three people entitled to it? What happens if you now have higher deductibles when you go to the physician? You have to pay more out of pocket. You are now paying for lab fees you did not pay for before. And, yes, medical inflation in this country still rises faster than regular inflation.

The fact of the matter is that in order to keep current or even slightly current, there is a real cut that is proposed in this budget in the program that affects all of us. So Medicare is on the block, and I think it is an important statement.

Finally, what is more obnoxious to me about this cut it does not do anything about the deficit. It does not do anything for seniors. What it does is pay for a tax break for the wealthiest Americans in the tax cut package that has already passed here.

ACHIEVING A BALANCED BUDGET

(Mr. SMITH of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Michigan. Mr. Speaker, I just came over because I was hearing some of the comments.

What concerns me very, very much is what is happening from the Democrats while Republicans have designed a budget that will balance in the year 2002. Everybody, I would hope, thinks that there is some good in achieving a zero deficit, balancing our budget and not spending any more than we take in.

Yet the other side of the aisle, and I usually am not partisan on these things, have seen this as an opportunity to criticize every one of these cuts that the Republicans are making, without presenting to us their idea of where we should be.

If you just look at what the President sent over here as far as his budget, his deficit spending, his spending more than what we are taking in in the year 1996 is 211, Republicans 156; in the last year, 2002, the Republicans' proposal is down to zero, zero deficit. We are living within the budget, within the revenues that we are taking into this Government. The President is 318.

Mr. Speaker, the other side should not criticize. They should be forthright in a saying here is what we think are the reasonable cuts if we are going to achieve a balanced budget.

DISTRICT OF COLUMBIA'S 1995 SUPPLEMENTAL BUDGET AND RESCISSIONS OF AUTHORITY REQUEST ACT OF 1995—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. 104–74)

The SPEAKER pro tempore (Mr. FOX of Pennsylvania) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Appropriations and ordered to be printed:

To the Congress of the United States:

In accordance with section 446 of the District of Columbia Self-Government

and Governmental Reorganization Act, I am transmitting the District of Columbia's 1995 Supplemental Budget and Rescissions of Authority Request Act of 1995. This transmittal does not represent an endorsement of the contents of the District's budget.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 12, 1995.*

□ 1330

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. FOX of Pennsylvania). Under the Speaker's announced policy of January 4, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

THE REPUBLICAN BUDGET IS A CUT IN MEDICARE AND SOCIAL SECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. GEPHARDT] is recognized for 5 minutes.

Mr. GEPHARDT. Mr. Speaker, I rise this afternoon to speak about the Republican budget and its effect on Medicare and Social Security. The assertion is trying to be made on the Republican side that this is not a cut. Well, I beg to differ. To the senior citizens of this country who have paid all their lives into this trust fund, it is a cut.

A cut is a reduction in services, an increase in premiums, an increase in copays and deductibles. So to the senior citizen out there, or to their family, you can call it anything you want to call it; it is a reduction in services. It is less than they expected to be able to get out of this very, very important program in their lives, and let us remember who we are affecting here. We are not just affecting the recipient of the program for the person that is enrolled in Medicare. We are affecting their entire family. The 30-, and 40-, and 50-year-old sons and daughters of these recipients of Social Security will have to make up the money if their parent cannot come up with it for the copay, or the deductible or the increased premium, and remember that this increased premium will come out of their Social Security check. It is automatically deducted, so it is in effect a decrease in their Social Security monthly payment.

Mr. Speaker, we have got lots and lots of senior citizens around the country who live on their Social Security. It is the only thing they have to look forward to every month to pay their rent, to pay their heating bill, to pay for their food, and so that amount will be reduced. Let us also remember this budget calls for a reduction in the Social Security benefit. It calls for an arbitrary reduction in the cost of living escalator by over a half a percent a year beginning in 1999.

By the year 2002 it means a $240 cut in their Social Security benefit. So, because of the Medicare cut which comes to about $1,000 a person a year immediately, the $240 cut in their Social Security benefit by the year 2002, these folks who are living on Social Security and their families who help support them are going to be out about $1,240 a year that they now count on in order to get by.

Now let us remember that these programs are supported by taxes. There is no deficit in the Medicare trust fund. There is no deficit in the Social Security trust fund. There is more money coming into those trust funds today than is spent, and we believe that it is wrong to make up for problems somewhere else in the budget out of those trust funds, yet that is precisely what the Republican budget does.

They said proudly for days, "We're not going to touch Social Security; it's off the table." Well, it is on the table again in a big way, $1,240 per person per year it is on the table, and that is not what was said. What was said before the budget came out was Social Security is off the table, it is not going to be cut.

And now we even see why it is being cut. It is being cut for a tax break. The Medicare cut almost equals the amount that is going out to give a tax break, a tax windfall, for the wealthiest people in the country.

So now we see the real value that is being expressed. A budget is an expression of values in its most important meaning. The value that the Republican Party is expressing in this budget is that it is fine to take dollars, $1,240 a year ultimately, from the middle-income families of this country and transfer it to people making $200, and $300, and $400 and $500,000 a year so they can get a $20,000-a-year tax break. We are going to take $1,240 a year from middle-income families and families trying to stay in the middle class.

Is that our sense of values? Is that what we want to have happen in this country? I do not think so. I think what we want is to help middle-income families stay in the middle class, and that is what Social Security and Medicare have primarily been about.

This is not the right approach, this is not what we ought to be doing, and if you say the Social Security funds may not be stable and solvent 5 and 10 years from now, I say, "Fine, let's look at that. Let's look at the whole health care system as we do it, and let's not start this discussion by giving a $20,000-a-year tax break to families earning $250,000 a year. Let's put that off to the side. Let's save that one for later when we finally got enough money in the budget to consider things like that. But for right now let's talk about the real problems of our country: education, Medicare, Social Security, keeping those programs there for the middle-income people who paid their taxes their entire life. Let's not take it from them. Let's help strengthen those programs."

So I hope, as we go into this most important budget, this Republican budget represents the greatest change in U.S. budgets in many, many years. Let us have a full debate in this Congress about what is actually happening here. This budget will have direct significance, dramatic consequences, in the lives of average working American families. They deserve to know what this budget will do to them, and before we vote on it and cast votes for it or against it, let us let the people know what is in it. Let us let them participate in the debate. Then we can make a judgment. And I believe if that is done, we will make the right judgment, and the right judgment is not to invade Medicare and Social Security to give tax breaks to the people who have done the best in our country. That will not be our judgment, and I urge that, after this debate, we will make a better judgment, and we will make sure that Social Security and Medicare are not invaded, and that these cuts are not made to the middle-income people of this country simply to give a tax break to the people who have it made.

OSHA UNDER ATTACK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 5 minutes.

Mr. OWENS. Mr. Speaker, OSHA, the agency responsible for the health and safety of workers in this Nation, is presently under intense attack. Particularly my colleague, the gentleman from Georgia [Mr. NORWOOD], who is a fellow member of the Economic and Educational Opportunities Committee, has launched a relentless series of attacks on OSHA.

Today, I would like to make a special appeal to Congressman NORWOOD that we lower our voices and make a sincere effort to humanize our discussion. Instead of focusing on the overwhelming but abstract statistics such as the 56,000 hard-working Americans who die each year from job related causes, from now on let us emphasize instead the individual workers with names and faces.

There are workers in Mr. NORWOOD's district like William McDaniel, who without adequate restraining protection fell 80 feet off a television tower to his death in Pendergrass, GA. Like Paul Powell, who was crushed in the unguarded drive shaft of a machine at an Augusta, GA, plant. Like Earnest Gosnell of Homer, GA, who was operating a timber log skidder that had no safety belts when the machine overturned and crushed him. these fine Americans were all residents of Mr. NORWOOD's district in Georgia.

What's really alarming here is that Mr. NORWOOD and so many other Republicans show no concern whatsoever for these workers and the other 56,000 hard-working Americans who die each year from work-related causes. It is really disappointing and tragic that so many Members of Congress like Mr. NORWOOD, would rather launch a cold-hearted and sweeping attack on a Federal agency than do everything possible to protect their own constituents.

It is the duty of every Member of Congress to recognize and remember that OSHA protects the lives of workers in every district.

Mr. Speaker, one of the great things about the Vietnam War Memorial is that the Vietnam War Memorial names names of each individual soldier who gave his life for his country. I do not think we should ever again have monuments for unknown soldiers. Why have celebrations of unknown soldiers when you could name the names and have the faces? It will make it less likely than for those who make decisions about war in the future to be careless or casual when they are making those decisions.

In the same way we ought to try and humanize all the work we do here in Congress. In the budget that has been prepared by the Republicans, OSHA has been drastically reduced. OSHA next week will be under attack in the Economic and Educational Opportunities Committee. An omnibus bill which will deal with work-related protections will be on the floor of the committee, and OSHA will again be under attack.

OSHA saves lives. Stop and consider that OSHA saves lives. Fifty-six thousand people every year die of accidents on the job or work-related causes, diseases they contract on the job or accidents they have and later die in the hospital away from the job. Six thousand die immediately in accidents on the job, but 56,000 people a year is as many people as died, almost as many people that died, in the Vietnam war over the whole 7-year period of the Vietnam war.

□ 1345

It is a very serious matter. Accidents in the workplace, conditions in the workplace, are very serious. Let us not condemn our workers to unsafe conditions unnecessarily. OSHA protects lives.

Medicaid protects lives too. In the same budget that is going to reduce OSHA, we have tremendous reductions for Medicaid. I am not talking about Medicare, because we can talk about Medicare and the reductions there. That also needs to be debated. But Medicare will be protected. It will be discussed at length on this floor.

Greater cuts have been made in Medicaid than have been made in Medicare, and the Republican budget proposes to get rid of Medicaid as an entitlement. Medicaid is health care for poor people. We are going to have a second-class health care system sanctioned by the Federal Government. One system for those not in Medicaid, those who are in Medicare and can afford Medicare and can afford private insurance, and another system for the poor, that is financed by the Government, a second-class system that will be left to the States to run it. And there will be no Federal entitlements. When the States run out of money, if you are sick or ill, you will not get any help.

Those are human beings out there with faces. Those are people that we all know. Somebody will know the workers who are killed in accidents or the workers who die from job related causes. Somebody knows somebody who is going to die as a result of those cuts in Medicaid and Medicare. Let us not proceed with an across-the-board cut in Medicaid of 18 percent, higher than the cut in Medicare, across-the-board cut, and assume that human beings are not going to die as a result.

Second-class health care is dangerous health care. I once had a situation where a hospital about to go broke in my district told me that we are down to such a level that we cannot afford to really sterilize our towels properly. We do not have the equipment.

I said to the administrator of that hospital, if you cannot sterilize your towels properly, it is time to close the hospital. Let us not try to keep it open.

The provision of second-class health care is dangerous and deadly. If we treat people as numbers and do not treat them as human beings, we run the risk of destroying lives. Let us lower our voices and look at the faces again.

MEDICARE: CUT OR LOSE?

The SPEAKER pro tempore (Mr. FOX of Pennsylvania). Under a previous order of the House, the gentleman from Georgia [Mr. KINGSTON] is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, the distinguished majority leader probably has a point when he was saying—excuse me, I mean the distinguished minority leader, force of habit—Mr. GEPHARDT, was giving a speech a few minutes ago saying that Medicare is going to be cut. And I think to some degree that you can argue that there is going to be certainly a modification of Medicare, and you may want to say that that is a cut. But I would say, what is better, modifying Medicare or losing Medicare? It will be broke under the current Medicare system in 6 years. It is not a matter of let us keep business as usual and avoid changing Medicare. We have got to do that.

You know, I wish that the critics, and most of the critics right now are coming from the minority side of the aisle, would enter into the solution as freely as they have entered into the criticism of the Republican plan. If they could enter the debate with facts and substance, instead of just with tactics and strategy, it would be so helpful. We need the help of the leadership and the wisdom of the Democrat Party.

We on the Republican side would be shortchanging ourselves if we said we had all the answers. And that is why our Founding Fathers had a two party system. We need the ideas from both sides of the aisle in order to come up with the solution.

The fact is, though, that the Clinton Cabinet is the one who said Medicare is going to go broke in 6 years. The Clinton Cabinet also has come out with statistics showing that baby boomers are going to be retiring in the year 2002, the Social Security trust fund runs out of money in the year 2030, and these are huge problems.

I yield to my friend from Michigan, Mr. SMITH.

Mr. SMITH of Michigan. I thank the gentleman very much for yielding. You know, what is so very interesting is that it was 2 years ago that the trustees of the Medicare trust fund came to Congress and said, "This trust fund is going broke, and it will be out of money by the year 2000." This time they came back and said it might last until 2002.

But the fact is, it is a political hot potato. For the last 2 years, with the existing majority in Congress and the President, they did not want to deal with it because they knew it left a target. They were politically vulnerable.

Republicans met and said, do we want to save Medicare? If we do, are we willing to take the hits that we knew were going to come from the other side of the aisle? "Oh boy, are you guys cruel and unreasonable." The fact is, there is going to be less money coming into the Medicare trust fund in the next 2 years than the payouts. There is a little reserve there in part A that is going to allow us to continue until 2002, and then it is bankrupt.

Mr. KINGSTON. If the gentleman will yield back, what is bothering me is we still seem to have folks on the other side of the aisle debating that Medicare is fine and dandy and there are no problems. We can go on ad infinitum with Medicare.

We cannot do that. We are driving straight into a brick wall that we will collide with a bus full of senior citizens in 7 years, period.

The tragedy of this is look at the wisdom on the Democrat side. I am envious as I look at the Democrat Party. They have a lot of talent and brains over there. I would like, as the Republican Party, to recruit some of their folks. Some of the people I would rather not recruit. I am sure there are folks over here they would rather not recruit. But good gracious, the wisdom of getting the two parties together to

come up with a solution for Medicare, would that not be the responsible thing to do for senior citizens? We are wrapping ourselves around momma's bath robe in the name of Mother's Day. We have heard the speeches for the last 40 minutes. What my momma told me to do is put aside party differences and do what is right. That is what we need to do.

Medicare needs to be reformed. The Clinton administration, Senator KERREY, many Democrats, have come out front and said that. Republicans have certainly said that. Take it a step further: To reform it, the American people need the Democrat and the Republican Parties working together on this.

Mr. SMITH of Michigan. I was just saying on reform, testimony before our Committee on the Budget indicated there was $40 billion of fraud and abuse in the system. So, for a start, last year we had a proposal by the administration that the Federal Government should take over all of the medical health care needs in this country.

The fact is that we have seen Medicaid and Medicare grow at the rate of 10 and 12 percent a year. The private practice health care has been 6 and 7 percent. In fact, last year it was about 4 percent, with many parts of the country being zero. The private sector is growing at 4 percent, the public sector, where we have Medicaid and Medicare, where the Government is responsible, has been growing at 10 and 12 percent. To say it is a solution to have the Federal Government take over everything does not jibe. We have got to do something the corporations and the rest of America are doing. We have got to make smart shoppers out of every American, including senior Americans.

Mr. KINGSTON. I think the gentleman ran out of time a little while ago. I wanted to hear about your charts. Alice Rivlin said today there are other places to cut in the budget. She said where the Republican Party was cutting was idiotic. I am sure there are things that the administration does that the Republican Party and Americans think are idiotic. Has the administration cut the budget in their proposal, in the President's budget proposal?

Mr. SMITH of Michigan. Mr. KINGSTON, what I learned is I am not a better number drawer when I have extra time than I am with short time. All this says is that the only budget that—and I do not want to be partisan, but that the President has sent the Congress is figured in the same way as the Republicans are figuring their budget as far as deficits. These are the deficits that are going to exist under the President's budget that he sent us about 8 weeks ago, and the Republican budget passed out of the House, very similar to the one passed out of the Senate.

In year 1996, the deficit under the President's plan is $211 billion, $156 for the Republican. Every year you see our deficit keeps going down and down. We are trying to brag about it. We are saying for the first time since 1969, the end figure is zero as far as the deficit. The zero at the end is the fact we are balancing revenues with expenses. The projection down here for the President is going up on the deficit in those out years.

Mr. KINGSTON. The figures are right. It is atrocious, your momma is ashamed of you. But if I read that correctly, in the year 2001, the President's budget has a $276 billion deficit. The Kasich Committee on the Budget proposal has a $108 billion deficit. The year 2002, the President is at a $318 billion deficit. We are at a $15 billion surplus.

Mr. SMITH of Michigan. We are actually starting to pay back some of this huge, gigantic, $6 trillion debt that the kids and grandkids are going to owe at that time if we do not change.

COMMENTS ON THE DEBT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, just some comments on the debt. You know, we have made a decision in the U.S. Congress to require that the Senate vote, that the House vote, that the President sign, any time that we increase the debt ceiling. Right now we have a debt ceiling of $4.9 trillion. That was done 2 years ago, when this administration came into office.

Now, that is good, no more charts. That debt ceiling was increased 2 years ago in 1993 to $4.9 trillion. Today—today our debt, subject to the limit, is $4.77 trillion. We are going to hit the cap of $4.9 trillion in September or October. So this House is going to have to decide, do we want to vote to increase the debt limit again.

Several of us, Congressman CHRIS SHAYS, myself, about 20 others, are saying look, if we are going to vote to increase the debt limit, should we not have something solid to get us on a glide path to assure that we are going to have a balanced budget sometime in the next 4 to 7 years? And I think the answer is yes.

So I think we need to send a strong signal to the President of the United States, look, unless we are on that glide path, unless we have got a law, a reconciliation bill, a balanced budget amendment, or something that can somehow guarantee to the American people that we are not going to pick their pockets any more, we are not going to vote to increase the debt limit.

So we are sending that message to the President. We are also sending a letter signed by about 25 of us to the majority leader in the Senate, to the Speaker of the U.S. House, saying look, do not plan on our vote to increase again the debt ceiling of the U.S. Government unless we have got the kind of firm, absolute, tough legislation signed by the President that helps make sure we are going to get there.

Mr. KINGSTON. If the gentleman will yield, I want to ask you, because you are a distinguished member of the Committee on the Budget: Now, on the tax increase decrease, can we decrease taxes and balance the budget? Are we being hypocrites?

Mr. SMITH of Michigan. The gentleman has as good an answer as I do, so I will let you complete the answer. My part of the answer would be that most economists that appeared before our Committee on the Budget agreed that increasing taxes is not the way to balance the budget if we want to stimulate job growth in this country. And as everybody knows, or should know, 2 years ago in 1993, what this Congress did with the different majority is they increased taxes a record $252 billion over the 5 years of that budget.

Our conference met and decided that if we wanted to stimulate job growth and savings and cap investment in this country, then we should offset that $252 billion tax increase with some kind of tax decrease. That is what we did. This tax decrease is totally paid for out of spending cuts and it is going to stimulate the economy.

Mr. KINGSTON. Now, as I recall, one of your statistics was that 87 percent of the people who benefit from the tax reduction make a combined income of $75,000 or less, 87 percent of the American people. Is that true?

Mr. SMITH of Michigan. Yes, that is true. I wonder if this is not good. I mean, probably people do not understand, the other side, when they say this is tax cuts for the rich. But see, what they are saying is by taking a $500 tax credit per child, the person that is making the $50,000 or the $100,000 or the $150,000 is in a higher tax bracket, therefore that $500 tax credit is worth more, therefore these are tax credits for the rich.

Everybody should understand where this rhetoric comes from when they say tax breaks for the rich. Some people say well, we are reducing the taxes that corporations pay because we are allowing them to deduct the cost of buying new machinery and equipment to put better tools in the hands of our workers to be more competitive.

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You can call that tax breaks for the rich but what it is trying to do is encourage capital investment and job formation.

Mr. KINGSTON. Is it not true that if the economic growth is 1 percent over the projected growth rate of 2.1 percent over the next 7 years, because of economic growth, we will reduce the deficit $640 billion because of increased

revenues because businesses expand, they create jobs, more revenue comes into the Federal budget?

Mr. SMITH of Michigan. You are such an excellent person to have a colloquy with because you know all the statistics and all the figures.

Mr. KINGSTON. Is the gentleman suggesting some of these questions are staged? I am highly offended.

Mr. SMITH of Michigan. It is interesting to note that when CBO comes up with their cost figures, when we have anything to stimulate the economy and job growth, they do not take that into consideration in deciding how much it is going to cost. So if it is a tax decrease, regardless of how business and industry and jobs react to that to bring in ultimately more revenues, they consider it flat. It is a nondynamic scoring.

But you are so correct, if something we do encourages businesses to be a little more competitive and to allow them to expand, then it is going to bring in so much more revenues to totally offset everything and balance our budget much quicker.

MEDICARE

The SPEAKER pro tempore (Mr. FOX of Pennsylvania). Under the Speaker's announced policy of January 4, 1995, the gentleman from New Jersey [Mr. PALLONE] is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, I would like to spend my time today talking about Medicare. In light of what some of the previous speakers said today, I would point out that I am not really interested in the issue of whether or not we call the changes that the Republicans have talked about in their budget as cuts or modifications or whatever. I am satisfied to call them changes.

The bottom line is, the Republicans in their budget proposals, both in the Senate as well as in this House, have suggested some major changes that are going to have major impacts on the Medicare program. Some of the previous speakers suggested today that perhaps seniors are not worried about it or that perhaps Democrats are making them worried unnecessarily.

Let me tell you the reality is seniors are worried, and they are not worried because of anything that the Democrats have said to them. They are worried because they hear that some of these changes that are coming in the proposed Republican budget are going to have a major impact on Medicare, on Medicaid, which is also of importance to seniors, as well as on Social Security, which as you know was previously said to be off the table.

I guess I was a little concerned when I heard the previous speaker, the gentleman from Georgia [Mr. KINGSTON], mention his mom. I guess it is that we are getting close to Mother's Day now. Different speakers talked about their moms. The gentleman from Georgia specifically said that in his case his mother or his family, I guess, was not really that worried about the Federal Government and Federal programs, that he felt that it was increasingly important for us to sort of not depend on Federal programs or forget about these Federal programs.

The bottom line is, when you talk about these three Federal programs that I mentioned, Medicare, Medicaid, and Social Security, these are Federal programs that a lot of people in this country do depend on. They are watching very carefully, in my opinion, what we do here in the next few weeks or the next few months that might impact on those programs.

If I could just use my own mom for an example, and I do not usually do that but, since it has already been stated by some of the others, she called me up just a couple of days ago and she was very worried. She just turned 65 a few weeks ago, is now eligible for Medicare for the first time, relied on the fact that when she became of age that she was going to have the benefits of Medicare. And now all of a sudden, when she first feels that she can take advantage of the program that she and my dad have been paying into all these years, realizes that there may be some major changes and she will not be able to benefit from what she expected in the program.

This is of major concern to seniors. This is not something that is abstract. This is something that the average person is concerned about.

In my district, when we held a number of forums for senior citizens during the April 3 weeks that were in the district, when we were not voting in Washington, I heard over and over again from senior citizens in my district, which is not a very poor district. I consider my congressional district very much the average. I have some wealthy seniors. I have poor seniors and most of my seniors are simply middle class. But they are very scared. When they hear about the changes in Medicare that might make them have to pay more out of their pocket for a copayment or a higher deductible before they get benefits or changes that might limit their options in terms of whether or not they go to a particular doctor or hospital, these are things they are concerned about.

When they hear about Medicaid changes that might impact their ability to get long-term care, they are very concerned. And they are particularly concerned about what they consider a broken promise on the part of the Republicans when the budget, when the House Republican budget proposals talk about a change in the Consumer Price Index that will actually lower the COLA. Seniors worry about that COLA, that cost-of-living adjustment.

Mr. Speaker, many of them budget, and their budget depends on every dollar that they receive on a monthly basis from Social Security. And when you talk about changing the Consumer Price Index so that the amount of the COLA is reduced, that extra few dollars a month or annually that they receive makes a big difference to them.

What I wanted to do today was to basically go through some of the suggested changes that are being discussed by the Republicans in the budget that affect Medicare. I think many have heard the last few days that the Senate Republican plan would pare about $250 billion from projected spending on Medicare and that the House plan ups that ante, if you will, to $270 billion.

What does all this mean? What do these cuts or changes or modifications mean? How do the Republicans propose to go about implementing that? What does it mean for the average person?

Well, we heard today, or at least I heard for the first time today that there was some detailed recommendations, about three dozen recommendations that were made on the House side by Republicans on the House Committee on the Budget to slow the growth of Federal Medicare cost; in other words, to implement these so-called cuts or changes. And those proposals, I understand, have been put forward by a task force from some of the Republican Members, which was made available today, that was actually sent to the chairman of my Subcommittee on Health and Environment of the Committee on Commerce.

I would like to go through some of those proposals by reference to an article that was in the New York Times today that sort of summarized some of them. If I could read from the New York Times article, it says that Republicans on the House Committee on the Budget recommended three dozen ways to slow the growth of Federal Medicare costs. They include higher premium deductibles and copayment for beneficiaries and strong new incentives for them to join health maintenance organizations—we call them HMO's—which provide comprehensive care in return for a fixed monthly fee.

The gentleman from Ohio [Mr. KASICH], the chairman of the Committee on the Budget, said the Republican proposals would expand health care choices for the elderly. But a Mr. Corey, who is the director of Federal affairs for the AARP, the American Association of Retired Persons, said the Republicans were creating a coercive environment in which Medicare beneficiaries will be herded into managed care and out of traditional fee-for-service arrangements.

Under one of the leading options, Medicare beneficiaries would receive Federal vouchers worth a fixed amount, around $5,100 a year, to enroll in an HMO or other private health

plan. They would have to use their own money to make up the difference if the cost exceeded the amount of vouchers, but they could keep most of the savings if they chose less expensive plans.

Now, this voucher proposal is just one of the proposals that has been put forth by Republicans on the House Committee on the Budget to try to cut back, if you will, on Medicare.

I would like to go through some of these and some of the others that are mentioned. When you talk about a voucher worth $5,100 to enroll in an HMO or other private health care plan, again, you have to make up your own money for the difference.

One of the things that a lot of seniors are worried about is that right now Medicare is largely a fee-for-service program, which means that you can go out to the doctor of your choice or to the hospital of your choice, if you happen to live in an area where there are a number of hospitals, and that doctor or hospital performs a service and then they send a bill and Medicare pays for it on what we call a fee-for-service basis. The idea is choice. You have your own choice of doctors.

Seniors traditionally had their choice of doctors both when they were working and now as part of the Medicare Program. In many parts of the country, including my own, the seniors do not feel that the HMO's or managed care systems are as good or do not include some of the physicians or hospitals that they may want to go to. But now all of a sudden under this proposal, if it is implemented, they would not have a choice. They basically get a voucher for $5,100 and they can find an HMO that will take them, or they can find another private health plan that operates on the traditional fee-for-service basis.

But think about it a minute. Most of these managed care systems or other private health care plans that operate on a fee-for-service basis are not going to be particularly interested in someone who is older, who might have disabilities, who might have some previous condition that is going to make them a high risk individual. How likely is it that they are going to be able to find a plan that satisfies them for that $5,100?

Ultimately, many of them are going to have to basically take that additional money out of their pocket if they have it to pay for a plan. And I have to tell you, and I think most people understand that a lot of seniors simply do not have the money. So this idea of the voucher is a serious change, that is being talked about, that would have a major implication and for many seniors might result in them not having health care at all.

The next proposal that comes from the Republicans on the Committee on the Budget, and again reading now from the New York Times summary, the Republicans also recommend a stiff financial penalty for new Medicare beneficiaries who refuse to join HMO's. Beginning in 1999, all new enrollees choosing Medicare fee for service would pay a premium $20 higher than that of current Medicare beneficiaries one of the Republican recommendations says. The premium is now $46 a month.

So basically what they are saying is that if you enter, for example—this is not until 1999, but I will use my mom as an example again; she just entered the system within the last month. But let us say she was entering in 1999. If she basically decides that she does not want to go to an HMO or managed care system that limits the doctors or the hospitals, then she has to pay more to continue in a fee-for-service system out of her own pocket.

The amount that they are talking about here, $20 higher than that of the current beneficiaries, which is now $46 a month, is significant. But I would maintain that as time goes on, that differential between what the senior is going to be charged if they enter the managed care system versus the fee-for-service system will grow. And the greatest fear that many of the seniors have in my district, the greatest fear that they have is that ultimately, if they are given a choice, which is not really a choice, between a managed care HMO and a fee-for-service system, that if the cost of the fee for service becomes so prohibitive that they cannot pay for it, they are essentially forced into an HMO or managed care system. That is what we are talking about here with this second Republican recommendation.

Ultimately the cost of the fee-for-service system would be so expensive that seniors would be forced into an HMO where they would not, given the choice, have their choice of doctors or even hospitals in many cases.

The third proposal that comes from the House Republican budget group task force is they would reduce payments to doctors and hospitals, especially teaching hospitals and those that serve large numbers of low-income patients. Well, this is what I would call a reduction in the reimbursement rate. Many of you know that in terms of Medicare, a rate is established to pay for doctors or hospitals by Medicare, and that is what they get reimbursed for the different services that are provided.

Some people and some of you, my own seniors, have said to me: So what, the doctors get a lot of money. The hospitals make too much money. So you reduce their reimbursement rate. What do I care, maybe it is good.

The bottom line is maybe it is not good, because many hospitals, particularly those who have a high number of seniors, as is the case with my district in New Jersey, are basically dependent on Medicare reimbursement and are just basically managing with the budget they have, because they have so many senior citizens or they have so many poor people.

If you reduce the reimbursement rate to hospitals, some hospitals will simply close. Others will not be able to provide the level of service or the quality of service that they are providing now. What happens if you reduce the reimbursement rate to doctors? Some may say "So what, the doctors make too much money". The reality is that doctors do not have to take Medicare patients. If the reimbursement rate becomes significantly lower or does not increase as much as it should to keep up with inflation, then a lot of doctors will just say "I'm not going to take Medicare patients." Seniors have already complained to me about how, in many cases, they cannot find a doctor who will take Medicare. If more doctors do not take Medicare, fewer doctors are going to be available to senior citizens.

"The fourth thing that was recommended by the Republicans on the House Committee on the Budget," and again I am reading from the New York Times article, "was to double the amount that beneficiaries must pay for doctors' services before Medicare coverage begins. This is the deductible."

The annual deductible, now $100, would be raised to $200 and then increased automatically to keep pace with the growth of the program. The deductible has been raised only three times in the 30-year history of Medicare.

Here we get to the real nub of the question. This option increased the deductible. Of course, everyone knows what that means. The deductible goes up, the senior has to pay more out of pocket before they are actually able to take advantage of Medicare. It may sound nice, but most or many seniors simply cannot afford it. What they will do is they will simply forego care, because they know that that care will be less than the deductible that they have to pay out, the last thing in the world that we could possibly want.

The fifth thing that was mentioned by this Republican Committee on the Budget, or by Members recommending how to deal with Medicare, is to "increase the monthly $46 premium by $5 in each of the next 4 years, and then by $6 in 2000 and in each of the following 2 years." I assume that what we are talking about here probably is the part B premium that seniors pay for doctors, so again, we are talking about an increased amount of money out of seniors' pockets if they can afford it.

There are two more options that I wanted to talk about today that have been suggested by the Republicans on the Committee on the Budget to deal with these changes they have suggested in Medicare. This next one says that "They would charge higher premiums for beneficiaries with incomes

exceeding $70,000 a year. The premium would more than triple, to $164 a month for individuals with more than $95,000 a year, and couples with more than $115,000."

Here we are talking about means testing. I think many of you know that historically, and certainly when the Medicare program was started under President Lyndon Johnson, that Medicare was not going to be income-based. You paid into it. When you reached the age of 65, you took advantage of it. It did not matter what your income was, it was not meant to be a welfare program. It was for all senior citizens.

Now we are talking, under this proposal, of turning Medicare basically into an income-based program, I will call it a welfare program, and basically reneging on the contract that was made with those Americans, that was made 30 years ago by the President then and this Congress, that this was not going to be an income-based program.

Some may say "So what? Changing times, we have to change the reality of things." Let me assure you that in those States, and I will use my State as an example, which have a very high cost of living, some of these income categories that are being used, for example, $70,000 a year, I would maintain that as time goes on we will see that level be reduced. If it is now 70, it will go to 60, then to 50, then to 30.

Think about people who live in States where the cost of living is very high. These arbitrary numbers that are going to be used, in my opinion, are going to make a lot of people who can really ill afford it, based on this means testing plan, have to pay out of their pocket more money for their health care, when they happen to be senior citizens. It goes against the contract that was made with seniors by this original enacting legislation, and ultimately, I think it will have more and more impact on middle-class seniors.

The last thing, and there are many others, I am only citing 6 but I think there are something like 35 recommendations that were put forward by these 4 members of the Committee on the Budget in the letter they sent to the chairman of my Subcommittee on Health and Commerce, but the seventh and last one that I want to mention says "They will charge patients for a portion of the cost of home health care provided to elderly people residing in their homes. Republicans said such a change would discourage overuse of home health services."

Again, one of the most serious problems we face now is the need for long-term care for seniors. I think everyone knows that if you can provide seniors with home-based health care, where someone comes into the home to help them get out of bed, to help them clean up, or to help them with the various disabilities that they have, that is a very cheap, preventive way of dealing with health care problems that face the elderly, much better than having to go to the hospital and the costs entailed with a hospital, or a nursing home, or other kinds of institutions.

Why in the world would we want to discourage home health care or build in an extra charge for home health care? All that is going to do is discourage seniors from using home health care, or not use it at all if they cannot afford it, and the ultimate cost of that is that people become institutionalized and it costs even more money to the Federal Government.

Mr. Speaker, the point I am trying to make here today is very simple. Whether we call it a cut, whether we call it a modification, whatever we call it, of the changes that are being discussed by the House Republicans on the Committee on the Budget, and they are going to be coming before this Congress, this House, next week, they are major changes in the Medicare Program. They have a direct impact on seniors.

The bottom line is that they are probably going to result in a lot more money that seniors are going to have to pay out of their pocket, and if they cannot afford it, which many cannot, they are simply not going to have the quality and level of services, or in some cases, may not have any health care at all.

I do not think, Mr. Speaker, that the costs of balancing the budget should be so heavily forced on the elderly within this country. We all know that we have to balance the budget, and I certainly advocate that, but this budget, this budget resolution that is being proposed depends too much on hurting and making it more difficult for seniors, particularly with regard to their health care needs. That is not the way to go about balancing the budget.

Mr. Speaker, I wanted to talk a little bit about some of the Medicaid cuts and respond a little bit to some of the statements that were made about President Clinton's health care proposal.

Mr. Speaker, I talked initially about the Medicare Program. I want to also talk a little bit about the Medicaid cuts or changes that are being discussed. Before I do that, though, I want just to take 5 minutes or less to just give some statements that have been made by some of the associations that deal with senior citizens about what these Medicare and Medicaid cuts or changes are going to mean for the elderly.

I just want to highlight a few of these things, because sometimes I feel if I make a statement, maybe some people will believe it, but it comes from some of the associations that represent senior citizens, perhaps it will be more believable.

The American Association of Retired Persons, which, of course, has been, I guess, the leading opponent of some of these changes, they have said that Medicare was hardly discussed in the last election, and there was certainly no mandate from the electorate to change the system. I think that is obvious. This is not something that was part of any political discussion that I know of in terms of anyone running for office last year.

"Medicare cuts would mean that over the next 5 years, older Americans would pay at least $2,000 more out of pocket than they would pay under current law, and over the next 7 years they would pay $3,489 more out of pocket. The total number of Medicaid beneficiaries who would use long-term care services could reach $1.7 million in the year 2000." That is from the AARP.

The National Council of Senior Citizens says "The levels of the cuts in Medicare contemplated by the Senate and House Budget Committees will not just devastate the finances of millions of older citizens, but more importantly, they will devastate the hopes for a secure and healthy old age for all Americans."

The Older Women's League says:

> We receive hundreds of letters from women who are already forced to choose between paying for food and rent and buying much needed medicine that is not covered by their Medicare. Substantial cuts in Medicare will literally take food out of the mouths of these older women.

I could not agree with that more. When I have my forums in my district, the overwhelming majority of the seniors who show up are women. Most of the people that are particularly scared are women. Many of them are just making ends meet. If you talk about additional deductibles or copayments or out-of-pocket expenses, they are making choices between food and rent and needed medical care.

Last, Mr. Speaker, and I mention it because I happen to be a Roman Catholic, the Catholic Health Association says that "Budget cuts of such magnitude in Medicare and Medicaid would attack the very fiber of these programs, and in fact, decimate them." As I think many know, Catholic Charities is one of many nonprofits that provides medical care to people who do not otherwise have it, and anyone who has visited a Catholic Charities knows that a lot of the people, really significant numbers of the people that are serviced by them are senior citizens, as well as children.

I would like to now go into Medicaid, which I guess has not gotten as much attention as the proposed changes in Medicare, but the Medicaid program, which is the program for poor people in this country, mostly people who are receiving some sort of welfare of assistance, is also severely cut, some would say more severely challenged, in terms of the amount of money that is going to be available over their next few

years than Medicare under this Republican budget proposal.

A lot of people think that Medicaid is just, you know, a program for people under 65, and that somehow seniors do not take advantage of Medicaid because they are covered by Medicare. The reality is that for many seniors who do not have the assets to pay for long-term health care, if they are poor enough, or if they become poor because they have to spend money on health care, Medicaid ends up financing much of their long-term care, particularly nursing home care, as well as home health care, because that is not provided or covered by Medicare.

The cuts in Medicaid will also severely impact seniors who need long-term care. I don't think anybody needs to be reminded of the nursing home crisis we have in this country. Again, if you significantly cut back on the amount of money that is available, I would argue that the quality of care is certainly going to decrease.

Medicaid is basically a combined Federal-State health insurance program, primarily for poor women and children, the blind, and the disabled. It is the largest provider of long-term care coverage for the elderly and the disabled. Two-thirds of the costs of the Medicaid Program go to provide both acute and long-term care to the blind, the disabled, and the elderly.

Most Medicaid beneficiaries are children, and children have the lowest rate of health insurance in the country. so therefore, being without Medicaid insurance among children would be catastrophic. The cuts proposed in the Medicaid Program are massive. They are substantially larger than the total annual Federal costs of the Medicaid Program. The elderly and disabled will bear the brunt of these cuts, because that is where most of the money is spent.

Many senior citizens who have spent their life savings on long-term care are enrolled in the Medicaid Program, which assures that their long-term care can continue. With the proposed Medicaid cuts, these seniors will either be forced out of absolutely vital long-term care, or their families will have to pick up the costs of maintaining care. These cuts amount to a huge hidden tax increase on the families of those who need or may need long-term care.

Where are we shifting these costs? We are shifting these costs to the families that have to care, in many cases, for the elderly. We are going to shift these costs to the States, because some States will decide that they cannot let people just go without health care, particularly seniors, so they will have to kick in their tax dollars, ultimately resulting in higher costs and taxes on the State level, or ultimately, also, the burden goes to the local communities and the local property taxpayers. Because Medicaid costs are shared with the States, cuts of the magnitude that are being talked about here will force States to bear even larger Medicaid costs, leading to substantial increases in State taxes. If States are unable to meet that, people will lose coverage. The uninsurance rate, particularly among children, will explode, forcing up costs for everyone else. Cost shifting will get much worse.

I think we have to understand that the Medicaid Program has basically brought primary and preventive care to people who would not otherwise get health care, and without the Medicaid Program, or with some of the changes that are being proposed, we are going to see a lot of people who are poor simply not getting coverage.

Mr. WISE. Mr. Speaker, will the gentleman yield?

Mr. PALLONE. I am happy to yield to the gentleman from West Virginia.

Mr. WISE. I just want to thank the gentleman, not only for the special order, but making the point on Medicaid, because so much is focused, and rightly so, on the cuts in Medicare, which is basically health care for the senior citizen. Medicaid, 50 percent of Medicaid dollars go to senior citizens, basically for nursing homes.

I do not think that a lot of people appreciate the fact that there is no nursing home care under Medicare. Medicare does not provide for the long-term nursing home care that so many families require, so they have to turn, instead, middle-income families, turn instead to Medicaid.

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The average family, this was a few years ago, but the statistic was that if somebody had to pay the cost out of pocket of a nursing home for their loved one, the average family would be impoverished in 13 weeks.

Medicaid is what has kept many, many middle-income families able first to meet the responsibility to their loved one and at the same time to avoid bankruptcy.

Cutting back on this program, as well, goes right at the heart of not only providing health care but I think also middle-income families.

Mr. PALLONE. I appreciate what the gentleman from West Virginia said and it is very true.

The average cost of a nursing home now, the last I looked, was something like $30,000 to $40,000 a year, at least in my area. It might be less elsewhere. How many middle-income people can afford that?

Essentially what they do as you described is that they will pay private maybe for a year or two, depending on how much money they have, and then will go on Medicaid because they won't have any money left. They will end up being in a nursing home paid for by Medicaid a lot longer than that year or two that they happen to be paying out of their pocket.

I don't particularly like that spend-down system that exists right now, but the bottom line is it depends heavily on Medicaid.

From the information that I actually had here before me, the bottom line is that most of the Medicaid dollars actually are going to pay for programs like that for the elderly.

We are talking about middle-income people, if you will, that become impoverished because of the cost of nursing home care. I appreciate those comments.

The last thing that I wanted to talk about today, and again this is partially in response to some of my Republican colleagues who spoke earlier today, and were somewhat critical, I thought, of President Clinton and his response to the issue of changes in Medicare that have been proposed by the Republicans on the budget committees.

The reason that I have to take issue with some of the statements that were made is because the President's position has been very clear for several years now. It is essentially that changes in Medicare and any savings that could be achieved in Medicare costs basically should only be made in the context of an overall health care reform.

I totally agree with that premise that the President has put forth. The idea is, and he basically expounded on it the last year or two when he put forth his health care reform proposals, is that in the overall context of health care reform, we could probably save some money on Medicare costs, but at the same time we would expand Medicare to provide more services.

The President actually talked about expanding Medicare to cover prescription drugs, to cover certain long-term care in certain circumstances.

His idea was not to cut or modify Medicare and take that money and use it for other things. His idea was that the Medicare dollars that are saved would be used to expand Medicare, particularly for preventative services like prescription drugs, like long-term care for the elderly, and to try to basically save some money as part of the overall reform that he was making for all Americans.

I think it is very, very unfair for some of the Republicans to suggest that somehow the President is not being responsive on the Medicare issue. He has been, he was, and when he was, he did not receive cooperation from the Republicans.

I just wanted to highlight that if I could by a letter that was sent to Speaker GINGRICH I believe last week from Leon Panetta, the Chief of Staff for President Clinton, and just to read a couple of paragraphs if I could:

Last year, the President spoke directly to the nation about the need to reform our

health care system and made clear that further federal health savings needed to take place in the context of serious health care reform. In December 1994, the President wrote the Congressional leadership and made clear that he would work with Republicans to control Health care spending in the context of serious health care reform. The President repeated this offer in his 1995 State of the Union speech.

The President has long stated that making significant cuts in Medicare and Medicaid outside the context of health care reform will not work. Such dramatic cuts could lead to less coverage and lower quality, much higher costs to poor and middle income Medicare recipients who cannot afford them, a coercive Medicare program, and cost-shifting that could lead to a hidden tax on the health premiums of average Americans. That is why it is essential to deal with the Medicare Trust Fund in the context of health care reform that protects the integrity of the program, expands not reduces coverage, and protects choice as well as quality and affordability.

I could not agree more with what the President suggests, that whenever changes we make and whatever costs are saved in Medicare have to be looked at in the context of overall health care reform.

Incidentally and importantly for me because I happen to live in the State of New Jersey and represent part of New Jersey, there was an editorial in the Star Ledger, New Jersey's largest daily, on May 3 that basically criticized the Republican budget proposals and was critical of the fact that the Republicans did not want to deal with Medicare in the context of overall health care reform.

Mr. Speaker, if I could just read parts of this because I think it is so telling in terms of the debate we are about to engage in:

The editorial is entitled, "Messin' With Medicare." About halfway down it says:

The Republicans say President Clinton wants to hold Medicare reform "hostage" to a broader plan for national health care reform.

Which would be the wise thing to do.

You can't mess with Medicare without affecting other parts of health care and spending, certainly not in New Jersey where Medicare spends $5.2 billion a year on 1.1 million beneficiaries, ninth highest in both categories. Consider the proposal to raise the age of eligibility for Medicare to 70 so the program can save about five years on each persons' medical bills.

I did not even mention that. That is another option, I suppose, that you just raise the age before you get Medicare benefits.

That means shifting some of the $5.2 billion to employer-paid health plans to cover all the years Medicare doesn't. If not, retirees will either have to pay their own way or go without coverage and care as they enter the stage of life when they are likely to need both most. Think of how many would come of age for Medicare just in time for the program to pay the consequences of years of government neglect of problems they've had since they were young but which went untreated for lack of health care insurance.

Hospitals and doctors can treat them during those years and try to recover their own cost by dropping it into everybody else's bill.

If I could just interject. What the Star Ledger editorial is saying, that if you make these changes, cost shiftings are going to occur essentially for everyone else in the private sector.

Private insurance is switching to managed care. Health maintenance organizations and other insurance plans send their members to the doctors and hospitals which give big discounts, discounts that leave no margin to cover what Medicare does not.

Shifting senior citizens into managed care is another reform proposal. The HMOs say they can do more for less because they hunt for discounts and manage how many tests and procedures and hospitalizations are ordered.

If the U.S. government doesn't have enough muscle to force prices down through Medicare, it's hard to imagine a private plan that would at least not without cutting benefits drastically.

We face the prospect that Washington may give seniors the "choice" of switching to ill-defined managed care or staying with traditional Medicare at an increased out-of-pocket cost too onerous to make it a real choice.

That is really what my seniors are most afraid of which is, are they going to be given the option of some kind of managed care system which basically is ill-defined and which does not provide the coverage that they need, or, which is more likely, they are going to be staying in Medicare and paying more and more out of their own pocket in order to continue as part of the program.

Of course that really begs the ultimate question, which is, if you are not in a position because you are too poor or lower middle class that you simply can't pay those additional out-of-pocket costs that are the consequence of these Republicans proposals, you are going to go without medical care or preventative care, get sicker and not be cared for. That, I think, is the ultimate result of these Republican proposals.

I hope that as we go into the debate over the next week or so that this comes out and that the American public is able to realize what these changes, if you will, in the Medicare program that the Republicans are talking about really mean. I think the changes are major and I think we have to do whatever we can in this House to prevent them from becoming law.

THE FEDERAL BUDGET

The SPEAKER pro tempore (Mr. FOX of Pennsylvania). Under a previous order of the House, the gentleman from West Virginia [Mr. WISE] is recognized for 60 minutes.

Mr. WISE. Mr. Speaker, special orders are kind of interesting. What are they about? I am sure the public looks and they see that there is an empty hall.

The benefit of special orders, that is what we are in right now, is it gives Members on both sides of the aisle, the aisle being the central aisle down the middle, it gives Members, Republican and Democrat, on both sides of the aisle a chance to lay out a little more in detail, to expound more fully on what they think is important, just as Mr. PALLONE before me laid out some of his concerns about some of the budget proposals that have come forward.

Often on the floor of the House, where we are limited by how long we can speak, whether it is 3 minutes or 5 minutes, where there is the hurly-burly of debate, it is difficult to get out in a reasoned way what it is that you really want to say. That is why many on both sides of the aisle take this opportunity.

I take this opportunity because I want to speak about the budget. I want to speak about what I think ought to be in the budget. I want to respectfully disagree with the budget that has been presented by the Republican side, but also lay out an alternative, to lay out my budget, and I want to say this is my budget, not endorsed necessarily by anyone.

I think some important points need to be made. In developing a budget, and particularly a balanced budget, and everyone agrees on the need for balance in the budget. We balance a budget in our families, in our homes, in our businesses, in State and local governments.

But in balancing a budget, what is the goal? The goal I think for the country is not simply to be able to point with pride and say we have got a balanced budget. It is to be able to say we have a balanced budget in the context of a healthy economy because we take the steps necessary for a healthy economy.

Yes, we believe that most of the time that means there is a balanced budget. But there are times in the Federal Government, not true necessarily in other budgets, but there are times in the Federal Government where it is necessary to run an imbalance, in times of recession when people are being laid off.

As businesses balance their budgets by laying off, that is the time when the Federal Government must come in and pick up the slack. Otherwise, the recession only worsens.

A balanced budget is important, yes; healthy economy, though, is the goal. Let's talk about it in terms of healthy economy.

My concern is that if we adhere to a 7-year proposal, that is, "Thou shalt balance the budget in 7 years regardless of the consequences," then I am concerned about what that means for the economy, because it may be more of a blow than the economy can handle.

I would have to have a movie made this summer about the proceedings that went on here titled "Honey, I Shrank the Budget and I Blew Up the Economy," because that is not what this is about. This is about building a healthy economy.

First of all I want to respond very quickly to the Medicare arguments, pro and con, and then move into other aspects of the budget.

I note with interest the statements made about how there are no cuts in Medicare, and I think that argument has gone back and forth a lot. Let the record show that it was last year that this administration, the Clinton administration, brought forward a plan for reforming Medicare in the context of overall health care reform, and that was almost universally disowned by those on the other side. Now they say, "Well, we've got this great plan and we want you to be involved."

We are saying it has to be done in the context of overall health care reform. It also has to be done in the context of something else. If you are asking seniors to pay more out of pocket for restructuring the health care plan, then I think it is not too much to ask that that actually go toward Medicare, that that actually go toward deficit reduction, but that it not go for a tax break for the very wealthiest in our country.

It is ironic that the amount that would come out of Medicare, roughly $300 billion over 7 years, is almost the amount that was voted by this House or voted by the Members of the majority party for a tax break, 51 percent of those benefits going to those earning over $100,000 a year.

Incidentally, in West Virginia where the bulk of the income level is $20,000 and below, that segment of the population would get only 4 percent of that tax cut benefits, while those over $100,000 got 51 percent. That is a clear disparity.

It is interesting because in my town meetings, 18 of them which I held across the State during the last couple of months, in my town meetings even upper income people were saying "We don't need a tax cut, particularly one that gives us a tax break. What we are interested in is more deficit reduction and more balancing the budget."

□ 1445

So that is one of the main sticking points on Medicare, do not go cutting Medicare to give a tax break for the upper income.

But let us talk now about the budget and the economy.

The goal as I say is for a balanced budget, but in the context of a healthy economy. What is it that makes a healthy economy? Growth makes a healthy economy, and if you have two businesses side by side and both of them have a debt problem, they have too much debt, and the United States has too much debt, and they take steps to cut that, where is it, Mr. Speaker, you would want to invest, in the company that cuts everything across the board regardless of how much business it creates, or would you want to invest in the company that is going to make sensible cuts, but at the same time is going to beef up those provisions by bringing growth to that business and help it to grow out of some of its problems?

I think we ought to put the debt of the United States in context. We have a debt problem, and I think it is looming as a serious problem; it is not a crisis. And let us look at some statistics.

First of all, the debt, that total amount that the United States has rung up, has increased dramatically in the past 12 years. It has gone from roughly $1 trillion, took about 200 years to get to about this level, $1 trillion, and in the last 12 to 15 years it has now grown to $4.5 trillion. And I know I am not in scale with my high air chart, Mr. Speaker, but the debt is somewhere around $4.5 trillion. That is a lot of money obviously. But let us put it in the context of history.

Following World War II this country's debt was about 125 percent of its gross domestic product. In other words, everything this country did in a year's time in business and sales and what not, the debt was about 125 percent. We worked that debt down steadily over the next four decades to roughly 35 percent of our gross domestic product for 1 year's economy.

It has now gone up, yes, it is true, to around 65 to 70 percent, but this is, incidentally, about the same level that almost every other major industrialized nation is carrying of debt in relation to its gross domestic product. So we have a problem and the trend line is up and leveling off. But we do not have a crisis. But we need to reverse that trend.

Why do we need to reverse that trend? The debt takes time to pay off. But more importantly, it is the interest on the debt that we pay every year that is growing. That is what is important.

Roughly the interest on the debt is somewhere around $300 billion, this year roughly 15 percent of our total Federal budget. That is $300 billion that is not going for education, it is not going for defense, it is not going for anything except to repay past consumption. So that needs to come down. But let us bring it down in a reasonable way.

The deficit is the yearly amount that this Government spends over what it takes in; if you take in this much and you spend that much. Let us look at the deficit in relation to our economy. Three or four years ago this country's deficit was about 6 percent of its gross domestic product. Because of the steps taken in the 1993 budget plan, hotly disputed, I might add, because of that it came from 6 percent and it is on a trend line to be cut in half, and it is on course right now to be around 2.5 to 3 percent of our gross domestic product. So, over a 5-year time the deficit in relation to our overall economy has been cut in half. That is not good enough. It has to keep going down, but we have to acknowledge the progress that has been made and it has been made in a solid and stable way and incidently the economy, despite the predictions of those who opposed that program only 2 years ago, passed by one or two votes as I recall here in the House, the economy instead of going in the tank as was proposed has only grown instead.

Now, what does that mean for future deficit reduction? My feeling is we need to continue that glide path but that we need to make sure that several things are built in. First, that it is a gentle glide path and not an abrupt one. Second, that is builds in growth. The reality is if you are talking about paying off a debt of $4.5 trillion, if you are talking about eliminating a deficit of $170 billion this year, or $200 billion on average, then you are talking about the need to be able to grow and the economy must grow, and you must make sure the steps you take bring growth and not retrenchment.

So that deficit is what needs to be focused on, so I would urge that instead of a 7-year time plan with some pretty draconian cuts that it be spread out to 10 years to 12 years. Why 10 to 12? Rule of thumb. It took you 10, 12 years to get into this predicament. I think it is going to take logically 10 to 12 to get out.

But I noticed most private sector bankruptcy proceedings or chapter 11 proceedings, if you put forward a reasonable repayment plan for the creditors over a number of years, then everyone breathes a lot easier, the creditors loosen up, you are beginning to pay off your debt in a logical way and everybody is happy and that business still continues to go on.

So, I am not wedded to a 7-year plan. I am not wedded for another reason. Here we get a bit, Mr. Speaker, here I have been known to be able to cause whole crowds' eyes to glaze over when I start explaining capital budgeting, but let me try. All of us believe that the family budget and a Federal budget should be treated the same, that you should balance. There is a difference. And the family budget and the Federal budget are much the same in that they both must set priorities. Families sit around the table every month and decide how much for utilities, how much for food, how much for school, how much for health care, and so on.

Families know something. Families know they also have to borrow to grow. That is why my wife and I have a mortgage on our house. We cannot afford to pay for a house in 1 year. We have to mortgage over 20 to 30 years. That is why we buy a car on a payment plan. We cannot afford to pay for a car in 1 year. We pay for it over several years. That is why I worked my way through college and had to borrow to get through college, and that is why my

children will probably see the same, but we look at the borrowing for the house, the car, and the education as a necessary expense that has long-term benefits and over time helps us grow. It appreciates in value and adds to our value.

So, families know that, and they do that.

The Federal Government does not account for those long-term investments that way. When you build a mile of road, you build a Federal building, you buy aircraft carriers, those things that have long-term value, the Federal Government shows them being paid for in that 1 year. It does not spread the cost out over the lifetime of the asset. It pays for it in that 1 year, so that in turn balloons up what most businesses and families know would be a much lesser expense because they would spread the cost out over the lifetime of that asset. There is no capital budgeting. That is what it is called. There is no capital budgeting in the Federal budget.

There is in every State and city government, and business and family budget. The State of West Virginia, for instance, has a balanced budget, but the State of West Virginia, as almost every State with possibly the exception of one State, the State of West Virginia and 48 other States at least all borrow money for their highways and in some cases for water, sewer, and other long-term investments. The Federal Government is not able to show it that way. So I would put this country on a capital budget for those long-term items.

But the family also does something else. The family budget shows that debt service. The Federal Government borrows, but it does not know whether it is borrowing a dollar for gasoline for a Federal vehicle or a dollar for a mile of road. That needs to change.

So, growth must be, must clearly be built into this.

I would urge several things in preparing a budget. First of all, I would urge that there be a longer phase-in period. Second, I would suggest there be capital budgeting, that the Federal Government be able to invest and encourage investment just like every business, every State, every city, every family does, and to have for those items that are long-term you can borrow for those and show it as such for those items that are day-to-day consumption, your payroll, materials, those kinds of things you pay for them, and you balance your budget for those.

Third is, I urge growth policies. My concern about the budget that will be on the floor next week is it discourages growth;, it does not encourage it. If you believe balancing the budget in and of itself will bring you growth, then fine, and you are happy as a hog in slop, but the fact of the matter is the statistics are pretty clear, it does not. If you look at studies you find interestingly enough at times when we have the closest to balanced budgets our economy sometimes is in the worst shape, and vice versa. Many are wringing their hands about the deficit today, but they are not pointing out that the stock market is at an all-time high, that employment has been running along at a fairly consistent pace, and the Federal Reserve has clamped down seven times already on the economy in the past year trying to restrain inflation because they felt the economy was growing too fast. So I think there is a real need to recognize growth policies.

I would urge under that heading there are several programs not to be cut that are proposed to be cut. Student loans. The present proposal is to cut the student loan program $33 billion over 7 years. I do not know about others in the Chamber. I think I do, but I know that many of us got our education through student loan programs. And indeed, the best investment that the Federal Government can make is to make sure that someone gets a higher education. If someone graduates from college, the Department of Labor estimates their income today by graduating from college is 60 percent higher over their lifetime than simply graduating from high school. That incidentally has changed in the last 10 years from being just 30 percent higher to doubling, so the power of a college education or higher education is there.

Incidentally, speaking from the most businesslike Federal Government standpoint, that is good news for the Federal Government, because that means they pay more taxes. It is good news for the economy because they are more active in the economy, generating more revenue and so on.

The person who goes to college today may be the employer, the business creator, the business grower of tomorrow.

Please leave student loans alone.

I would leave intact other growth programs. The Economic Development Administration, almost every industrial park probably in our country, certainly in my State, has EDA money in it. That is what provides the linchpin that brings together the deal, the private sector, it provides the water, the sewer, sometimes the shell building, technical feasibility studies. We just broke ground on a major development in the eastern panhandle of West Virginia. It is estimated that the EDA grant which I believe was $2 million will generate 357 jobs. I costed that out. In addition to the other Federal grants involved it was around $7,883 per job created. The estimated income those workers will be making, that will be repaid to the Federal Government in 4 years. Real estate developers will tell you if they can get their money back in 4 years, that is a heck of a great investment, and now those people will be generating money for the economy and also paying taxes for 40 years after that.

So whether it is the Economic Development Administration, the Appalachian Regional Commission, so many of the other important growth-producing infrastructure creating entities, I would urge that those be retained.

We just had a debate on the floor today about, and unfortunately it passed, cutting $700 million from the State revolving fund. What does that mean, Mr. Speaker? That is the money that goes to build water and sewer projects for all of our communities; $100 billion need out there. This Government comes up with at best $2 billion a year, and that just got cut. It does not make any sense to me, because water and sewer is how we grow.

The third area is transportation, Mr. Speaker. I would hope that the money not be cut for the highway trust fund and the aviation trust fund. We need to be growing roads and improving our roads and our infrastructure and our mass transit, not retrenching. There is a reason Mr. Speaker, people talk about the economic miracle of Japan; there are a lot of reasons. One of them is this: Japan has half the economy of the United States or roughly 60 percent of the economy, half the population, and yet spends more in real dollars than the United States does in its infrastructure, and so clearly we can learn from that.

I would support targeted tax cuts, Mr. Speaker, tax cuts that actually go to create growth, not tax cuts handed out just to hand out tax cuts, because it is a great bumper sticker, but tax cuts that go to create growth, limited and targeted capital gains cuts, targeted investment tax credits that actually provide incentives for small businesses to buy the equipment that helps them to expand their capacity and productivity.

Targeted tax cuts that encourage the development of municipal and private water and sewer systems and those other areas that help us grow. Many of those incidentally were removed in the 1986 tax act. I think it is time to revisit that. So there is much that can be done for growth, Mr. Speaker.

Finally, Mr. Speaker, as I am getting close to the end, let me say that it is a laudable effort that all make to cut the Federal deficit. That has to be done. As I mentioned, I do not make light of the deficit, because what the deficit represents is the interest that is being paid on the national debt.

□ 1500

And that debt is too high, and the interest is too high, and it robs us of other areas, if you are going to spend money that could be better spent. Not a dollar of that goes to education or goes to any other useful application.

So I do not quarrel with the need to reduce the deficit. I do quarrel with the

idea that you can willy-nilly cut your way to Nirvana, that you can willy-nilly cut your way to a balanced budget, and particularly doing it in 7 years, particularly doing it with the type of arcane and antiquated and ineffective accounting system that the Federal Government has.

It is like we are trying to play a game by rules that are four or five decades old, and we know they are not any good, and we know they are artificial, and we know they do not produce the most logical outcome, but, by golly, they are the rules, those are the rules we are going to play by even if it has a bad outcome.

So, cutting your way completely to a balanced budget, particularly in 7 years, I believe can create incredible problems for the economy. And so I would urge that growth be an important initiative in that.

I don't think you reach growth by cutting the very programs that create growth, and so I hope that there will be time eventually to look at those growth areas and to be putting a growth agenda forward.

I understand this budget is going to pass next week, I guess, on the floor of this House. The votes are here. It will be muscled through. It will pass.

But my thought, though, is that after it passes, then we can have some calmer reflection in the country as well as this Congress, and that we can be talking about a true growth initiative that moves this country forward. You get balanced budgets by having a strong economy, and so as we work towards that balanced budget goal, I think at the same time we have to recognize what the ultimate goal is, and that is the strength of this economy.

In closing, Mr. Speaker, I do want to address one concern that has been raised. Some have said, "Where is your alternative, Democrats? Where is your alternative?" "We have a budget we just reported out of the Committee on the Budget," say the Republican leadership, "and where is the Democratic alternative?"

Ladies and gentleman, the Democrats have been putting their alternative out there on the line. I get partisan at this point, Mr. Speaker. The Democrats have been putting their alternative out on the line for the past few years. We are the ones who passed without any help from the other party, passed a deficit reduction plan that reduced the deficit $500 billion over 5 years, took the deficit from being almost 6 percent of gross domestic product to less than 3 percent of gross domestic product in 5 years. We are the party that put out a comprehensive health care plan that last year was attacked by this side because it restricted choice, the freedom-to-choose provider. It had too much managed care. This year they come and say the greatest thing since sliced bread is managed care. That is how they would seek to reduce the deficit.

I would say Democrats have been there. Incidentally, we are going to continue to be there. I am going to be putting forth my growth agenda. I am going to be putting forward my balanced-budget alternatives. Others of us are working to put these forward. My hope is eventually this center aisle can be replaced by people working on both sides of it, working together, crossing over to work for a true growth agenda and to work for what I know everyone in this Chamber agrees on and across the country, the need for policies that truly put this country on the road to a healthy economy, in so doing, a balanced budget as well.

I also think it is important that these special orders at the end of the day following legislative business be taken and be recognized for what they are, not addresses to the Congress per se, but addresses to more fully expound the thoughts each Member has and to try and shape the policy discussion, very important policy discussion that is taking place here over the next couple of weeks.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members to revise and extend their remarks and include extraneous material:)

Mr. GEPHARDT, for 5 minutes, today.
Mr. OWENS, for 5 minutes, today.
Mr. DEFAZIO, for 5 minutes, today.
Ms. KAPTUR, for 5 minutes, today.
Mr. LIPINSKI, for 5 minutes, today.
Mr. UNDERWOOD, for 5 minutes, today.
Mr. PALLONE, for 60 minutes, today.
Mr. WISE, for 60 minutes, today.

(The following Members (at the request of Mr. KINGSTON) to revise and extend their remarks and include extraneous material:)

Mrs. ROUKEMA, for 5 minutes, today.
Mr. KINGSTON, for 5 minutes, today.

(The following Member (at the request of Mr. PALLONE) to revise and extend his remarks and include extraneous material:)

Mr. POSHARD, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. PALLONE) and to include extraneous matter:)

Mr. BONIOR.
Ms. WOOLSEY in two instances.
Mr. ENGEL in two instances.
Mr. FOGLIETTA.
Mr. PAYNE of New Jersey.
Mr. BARCIA.
Mr. DOOLEY in two instances.
Mr. KENNEDY of Rhode Island.

(The following Members (at the request of Mr. KINGSTON) and to include extraneous matter:)

Mr. GANSKE.
Mr. FOLEY.
Mr. RAMSTAD.
Mr. SENSENBRENNER.
Mr. HOKE in two instances.

(The following Members (at the request of Mr. WISE) and to include extraneous matter:)

Mr. LEWIS of Kentucky.
Mrs. ROUKEMA.
Mr. KIM.
Mr. DORNAN.
Mr. POSHARD.
Mr. REGULA.
Mr. CAMP.
Mr. SANDERS.
Mr. KANJORSKI in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 510. An act to extend the authorization for certain programs under the Native American Programs Act of 1974, and for other purposes; to the Committee on Economic and Educational Opportunities.

ADJOURNMENT

Mr. WISE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 4 minutes p.m.), under its previous order, the House adjourned until Monday, May 15, 1995, at 10:30 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

864. A letter from the Deputy Secretary of Defense, transmitting a report and recommendations of the task force on discrimination and sexual harassment dated May 1995, Volume I, pursuant to Public Law 103-337, section 532; to the Committee on National Security.

865. A letter from the Secretary of Defense, transmitting certification that the detail of 58 DOD personnel to other Federal agencies, under the DOD Counterdrug Detail Program, are in the national security interest of the United States, pursuant to Public Law 103-337, section 1011; to the Committee on National Security.

866. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the accession of Denmark to the project to establish an organization for CALS within NATO (Transmittal No. 6-95), pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

867. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning a cooperative counterterrorism research and development effort

with Canada (Transmittal No. 7-95), pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

868. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment and services sold commercially to the United States Arab Emirates (Transmittal No. DTC-25-95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

869. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment and services sold commercially to French Guiana/Australia (Transmittal No. DTC-26-95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

870. A letter from the Director, Defense Security Assistance Agency, transmitting a copy of Transmittal No. D-95 which relates to enhancements or upgrades from the level of sensitivity of technology or capability described in section 36(b)(1) AECA certification 93-15 of 28 May 1993, pursuant to 22 U.S.C. 2776(b)(5); to the Committee on International Relations.

871. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft of proposed legislation to improve the administration of the National Park Service, and for other purposes; to the Committee on Resources.

872. A letter from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to clarify the eligibility of certain minors for burial in national cemeteries; to the Committee on Veterans' Affairs.

873. A letter from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to restrict payment of a clothing allowance to incarcerated veterans and to create a presumption of permanent and total disability for pension purposes for certain veterans who are patients in a nursing home; to the Committee on Veterans' Affairs.

874. A letter from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to change the name of Servicemen's Group Life Insurance program to Servicemembers' Group Life Insurance, to merge the Retired Reservists' Servicemembers' Group Life Insurance program into the Veterans' Group Life Insurance program, to extend Veterans' Group Life Insurance coverage to members of the Ready Reserve of a uniformed service who retire with less than 20 years of service, to permit an insured to convert a Veterans' Group Life Insurance policy to an individual policy of life insurance with a commercial insurance company at any time, and to permit an insured to convert a Servicemembers' Group Life Insurance policy to an individual policy of life insurance with a commercial company upon separation from service; to the Committee on Veterans' Affairs.

875. A letter from the Secretary of Commerce, transmitting notification that certain conditions for the conservation and management of swordfish within the International Commission for the Conservation of Atlantic Tunas have been met and the annual reports to Congress on this subject are no longer required; jointly, to the Committees on Resources and International Relations.

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PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DORNAN:

H.R. 1623. A bill to amend the Public Health Service Act to repeal family planning programs under title X of the Act; to the Committee on Commerce.

H.R. 1624. A bill to modify the jurisdiction of the Federal courts with respect to abortion; to the Committee on the Judiciary.

H.R. 1625. A bill to protect the right to life of each born and preborn human person in existence at fertilization; to the Committee on the Judiciary.

By Mr. FOLEY:

H.R. 1626. A bill to provide for the adjustment in the rate of duty for tomatoes imported from Mexico to take into account changes in the value of Mexican currency with respect to the United States dollar, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Mr. BLILEY (for himself, Mr. TOWNS, Mr. ROBERTS, Mr. DE LA GARZA, Mr. EMERSON, Mr. CONDIT, Mr. BILIRAKIS, Mr. GUNDERSON, Mr. STENHOLM, Mr. COMBEST, Mr. MONTGOMERY, Mr. ALLARD, Mr. YOUNG of Alaska, Mr. JOHNSON of South Dakota, Mr. WALKER, Mr. DOOLEY, Mr. FIELDS of Texas, Mr. HALL of Texas, Mr. BARRETT of Nebraska, Mrs. THURMAN, Mr. HASTERT, Mr. POMEROY, Mr. WOLF, Mr. BISHOP, Mr. STUMP, Mrs. LINCOLN, Mr. EVERETT, Mr. PAXON, Mr. GOODLATTE, Mr. DOOLITTLE, Mr. CANADY, Mr. POMBO, Mr. KINGSTON, Mr. WALSH, Mr. HOEKSTRA, Mr. BAKER of Louisiana, Mr. CALVERT, Mr. SMITH of Michigan, Mr. COX, Mr. CRAPO, Mr. LUCAS, Mr. LEWIS of Kentucky, Mr. SHADEGG, Mr. HOSTETTLER, Mrs. CHENOWETH, Mr. HUTCHINSON, Mr. CHAMBLISS, Mr. LATHAM, Mr. LAHOOD, Mr. TAYLOR of North Carolina, Mr. BEREUTER, Mr. WHITFIELD, Mr. NETHERCUTT, Mr. BOUCHER, Mr. OXLEY, Mr. SKEEN, Mr. BOEHNER, Mr. STUPAK, Mr. THORNBERRY, Mr. BRYANT of Tennessee, Mr. HASTINGS of Washington, Mr. POSHARD, Mr. BURR, Mr. SENSENBRENNER, Mr. TALENT, Ms. DANNER, Mr. HEFLEY, Mr. ORTON, Mr. UPTON, Mr. BILBRAY, Mr. FOLEY, Mr. MCCRERY, Mr. COOLEY, Mr. MCHUGH, Mr. GANSKE, Mr. EWING, Mr. HOLDEN, Mr. MANZULLO, Mr. HAYWORTH, Mr. CHRYSLER, Mr. GILLMOR, Mr. METCALF, Mrs. SEASTRAND, Mr. MINGE, Mr. DICKEY, Mr. NORWOOD, Mr. DUNCAN, Mr. BARTON of Texas, Mr. GORDON, Mr. SCHAEFER, Mr. CLINGER, Mr. MOORHEAD, Mr. RADANOVICH, Mr. HANCOCK, Mr. ROSE, Mr. BUYER, and Mr. QUILLEN):

H.R. 1627. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Food, Drug, and Cosmetic Act, and for other purposes; Titles I-III referred to the Commitee on Agriculture; Title IV, referred to the Committee on Commerce.

By Mr. HOKE:

H.R. 1628. A bill to establish a Defense Nuclear Program Agency to carry out all defense nuclear programs matters; to the Committee on National Security.

By Mr. SANDERS (for himself, Ms. NORTON, and Mr. OWENS):

H.R. 1629. A bill to amend the Internal Revenue Code of 1986 with respect to treatment of corporations, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Banking and Financial Services, and International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHAEFER (for himself, Mr. SKAGGS, Mr. ALLARD, Mr. HEFLEY, Mr. MCINNIS, and Mrs. SCHROEDER):

H.R. 1630. A bill to exclude from gross income certain disability benefits received by former police officers or firefighters; to the Committee on Ways and Means.

By Mrs. SEASTRAND (for herself, Mr. BAKER of California, Mr. BILBRAY, Mr. CALVERT, Mr. DOOLITTLE, Mr. HERGER, Mr. HUNTER, Mr. MOORHEAD, Mr. POMBO, Mr. RADANOVICH, Mr. RIGGS, Mr. ROHRABACHER, and Mr. SKEEN):

H.R. 1631. A bill to encourage the development of the commercial space industry by establishing State-run spaceports, and for other purposes; to the Committee on Science, and in addition to the Committees on Transportation and Infrastructure, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATERS (for herself, Mr. MONTGOMERY, Mr. CLYBURN, Mr. MASCARA, and Mr. EVANS):

H.R. 1632. A bill to amend title 38, United States Code, to extend certain veterans housing provisions, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1633. A bill to amend chapter 43 of title 38, United States Code, to make technical corrections in the employment and reemployment rights of members of the uniformed services, and for other purposes; to the Committee on Government Reform and Oversight, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATERS (for herself, Mr. CLYBURN, and Mr. EVANS):

H.R. 1634. A bill to increase the monthly rate for amounts payable for veterans education under the Montgomery GI Bill; to the Committee on Veterans' Affairs, and in addition to the Committee on National Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

80. By the SPEAKER. Memorial of the Legislature of the State of New Hampshire, relative to recommendations of the Northern Forest Lands Council; to the Committee on Agriculture.

81. Also, memorial of the General Assembly of the State of Indiana, relative to the titling of rebuilt and salvaged motor vehicles; to the Committee on Commerce.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 38: Mr. BRYANT of Tennessee, Mr. EVERETT, Mr. NEY, Mr. JEFFERSON, Mr. WYNN, Mr. CRANE, Mr. TORRICELLI, Mr. LOBIONDO, and Mrs. MINK of Hawaii.

H.R. 103: Mr. MENENDEZ and Mr. CLYBURN.

H.R. 109: Mr. LUTHER and Mr. SCHIFF.

H.R. 209: Mr. DELAY and Mr. BARTON of Texas.

H.R. 248: Mr. LEWIS of Georgia.

H.R. 303: Mr. TORRICELLI and Mr. CLYBURN.

H.R. 373: Mr. BACHUS, Mr. YOUNG of Alaska, Mr. DOOLITTLE, Mr. HUNTER, Mr. MCKEON, Mr. SCHAEFER, Mr. GOSS, Mr. COLLINS of Georgia, Mr. DEAL of Georgia, Mr. LINDER, Mr. CRANE, Mr. HASTERT, Mr. ROBERTS, Mr. BUNNING of Kentucky, Mr. LEWIS of Kentucky, Mr. BAKER of Louisiana, Mr. HAYES, Mr. TAUZIN, Mr. BARTLETT of Maryland, Mr. CAMP, Mr. MONTGOMERY, Mr. HANCOCK, Mr. VOLKMER, Mrs. VUCANOVICH, Mr. JONES, Mr. COOLEY, Mr. KASICH, Mr. MCDADE, Mr. SPENCE, Mr. COMBEST, Mr. STENHOLM, Mr. WILSON, Mr. CHAPMAN, and Mr. TAYLOR of North Carolina.

H.R. 375: Mr. CHAPMAN, Mr. COX, and Mr. YOUNG of Alaska.

H.R. 390: Mr. MOORHEAD.

H.R. 442: Mr. BARRETT of Wisconsin.

H.R. 463: Mr. HINCHEY.

H.R. 468: Mr. SANDERS, Mr. CLYBURN, Mrs. ROUKEMA, Mrs. VUCANOVICH, Mr. CALVERT, and Mr. BAKER of Louisiana.

H.R. 530: Mr. HAYWORTH, Mr. SENSENBRENNER, Mr. CUNNINGHAM, Mr. PASTOR, Mr. COLLINS of Georgia, Mr. CLINGER, and Mr. NEY.

H.R. 556: Mr. PASTOR.

H.R. 557: Mr. PASTOR.

H.R. 638: Mr. GUTIERREZ and Mr. OLVER.

H.R. 736: Mr. HERGER, Mr. MCKEON, Mrs. SEASTRAND, Mrs. KELLY, and Mr. LIPINSKI.

H.R. 759: Mr. CALVERT.

H.R. 783: Mr. BILIRAKIS.

H.R. 820: Mr. BILIRAKIS, Mr. SAWYER, Mr. JACOBS, Mr. WICKER, and Mr. STEARNS.

H.R. 852: Mr. ROSE, Mr. LEWIS of Georgia, Mr. OLVER, and Mr. TOWNS.

H.R. 930: Mrs. CUBIN.

H.R. 939: Mr. SMITH of New Jersey.

H.R. 987: Mr. PARKER and Mr. HUTCHINSON.

H.R. 997: Mr. PAYNE of Virginia, Mr. FUNDERBURK, and Mr. CRAPO.

H.R. 1021: Mr. HAMILTON.

H.R. 1023: Mr. JACOBS.

H.R. 1034: Mr. JONES, Mr. BAKER of California, Mr. MCHUGH, Mr. BOEHLERT, Mr. HOEKSTRA, Mr. BARRETT of Wisconsin, Mr. LAHOOD, Mr. LIGHTFOOT, Mr. FAWELL, Mr. LOBIONDO, Mr. BATEMAN, Ms. PRYCE, Mr. SHAYS, Mr. FORBES, Mr. MOORHEAD, Ms. LOWEY, Ms. MOLINARI, Mr. EHLERS, Mr. MINGE, Mr. TAYLOR of North Carolina, Mr. HOSTETTLER, and Mr. SOUDER.

H.R. 1045: Mr. DUNCAN.

H.R. 1090: Mr. GORDON and Mr. SANDERS.

H.R. 1114: Mr. BARTLETT of Maryland and Mr. BAKER of Louisiana.

H.R. 1124: Mr. FROST and Mr. JACOBS.

H.R. 1169: Ms. LOWEY.

H.R. 1184: Mrs. FOWLER and Mr. DUNCAN.

H.R. 1210: Ms. DANNER.

H.R. 1222: Mr. KLECZKA.

H.R. 1229: Mr. GENE GREEN of Texas.

H.R. 1370: Mr. CHAPMAN and Mr. HALL of Texas.

H.R. 1387: Ms. NORTON, Mr. FATTAH, Mr. LIPINSKI, and Ms. VELAZQUEZ.

H.R. 1418: Mr. STEARNS.

H.R. 1422: Mr. KLECZKA and Mr. CALVERT.

H.R. 1442: Mr. POSHARD, Mr. BISHOP, Mr. LUTHER, Mr. HEFLEY, and Mr. TORRES.

H.R. 1445: Mr. SENSENBRENNER.

H.R. 1448: Mr. MCHUGH.

H.R. 1514: Mr. MCCRERY, Mr. BARTLETT of Maryland, and Ms. PRYCE.

H.R. 1547: Mr. STARK and, Mr. GENE GREEN of Texas.

H.R. 1552: Mr. BARR, Mr. HASTINGS of Florida, Mr. SENSENBRENNER, Mr. VOLKMER, Mr. STUMP, Mr. DEFAZIO, Mr. ROTH, Mr. BURR, Mr. NEY, Mr. BALLENGER, Mr. POSHARD, Mr. BURTON of Indiana, Mr. FUNDERBURK, Mr. HEINEMAN, Mr. THORNBERRY, Mr. GORDON, Mr. HOKE, Mr. HUNTER, Mr. GUTKNECHT, Ms. DANNER, Mr. ROSE, Mr. CREMEANS, Ms. ESHOO, Mr. BOEHNER, and Mr. WICKER.

H.R. 1559: Mr. CALVERT, Mr. FILNER, Mr. JACOBS, and Ms. KAPTUR.

H.R. 1578: Mr. BROWN of California.

H.J. Res. 79: Ms. BROWN of Florida and Mr. SHAW.

H. Con. Res. 23: Mr. BALDACCI, Mr. GUTIERREZ, Mr. ACKERMAN, Mr. MOLLOHAN, Mr. PAYNE of Virginia, Mr. TORRES, and Mr. BENTSEN.

H. Con. Res. 31: Mr. ACKERMAN.

H. Con. Res. 62: Mr. BONIOR, Mr. CONYERS, Mr. FOGLIETTA, Ms. LOWEY, Mr. MARTINEZ, and Ms. PELOSI.

PETITIONS, ETC.

Under clause 1 of rule XXII,

21. The SPEAKER presented a petition of the Chairman, State Transportation Board, Atlanta, GA, relative to matters relating to transportation; which was referred to the Committee on Transportation and Infrastructure.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 1 by Mr. CHAPMAN on H.R. 125: None.

Petition 2 by Mr. STOCKMAN on H. Res. 111: None.

Petition 3 by Mr. VOLKMER on H.R. 920: None.

Petition 4 by Mr. BRYANT on H. Res. 127: Karen L. Thurman, Lloyd Doggett, Andrew Jacobs, Jr., and Thomas M. Barrett.

SENATE—*Friday, May 12, 1995*

(Legislative day of Monday, May 1, 1995)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Let us pray:

Lord God, You are infinite, eternal, unchangeable, and the source of wisdom, holiness, goodness, and truth. Today we want to hold together two Biblical admonitions. We are told that the fear of the Lord is the beginning of wisdom but also that we are not to fear. Help us to distinguish between the humble awe and wonder that opens us to the gift of Your guidance, and the negative panic that so often grips our souls.

Give us a profound reverence in Your presence that keeps us on the knees of our hearts. May we never presume that we are adequate for a day's challenges until we have received Your strength and vision. Give us the confidence that comes from trust in Your reliability and resourcefulness. You never let us down and constantly lift us up.

Lord, liberate us from all minor fears that haunt us: the fear of hidden memories, the fear of imagined failure, and the fear of what is ahead. We may not know what the future holds, but we do know that You hold the future. In the name of Him whose constant watchword is "Fear not, I am with you!" Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. THOMAS. Mr. President, this morning the leader time has been reserved. The Senate will immediately resume consideration of S. 534, the solid waste disposal bill.

Senators should be aware that rollcall votes will occur this morning at 10 o'clock on invoking cloture on the substitute amendment to the solid waste bill.

As a reminder, Senators will have until 10 o'clock this morning to file any second-degree amendments to the substitute. Further amendments are expected to the bill, therefore, additional rollcall votes are anticipated throughout today's session of the Senate.

The majority leader has indicated that the Senate may also be asked to turn to consideration of H.R. 483, the Medicare select bill.

INTERSTATE TRANSPORTATION OF MUNICIPAL SOLID WASTE ACT

The PRESIDING OFFICER (Mr. THOMAS). The Senate will resume consideration of S. 534.

The clerk will report the bill.

The assistant legislative clerk read as follows:

A bill (S. 534) to amend the Solid Waste Disposal Act to provide authority for States to limit the interstate transportation of municipal solid waste, and for other purposes.

Mr. CHAFEE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. STEVENS. Mr. President, I ask unanimous consent that I be permitted to make an announcement concerning hearings without regard to the pending bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL PENSION REVIEW HEARINGS

Mr. STEVENS. Mr. President, several months ago there was an expression of interest in the subject of congressional pension reform raised by my good friend from Nevada, Senator BRYAN. His concern about the subject, which was raised here on the floor, was supported by the majority leader, and there was concurrence that it would be appropriate to schedule hearings later in the year on this subject.

Mr. President, to address the concern raised by Senator BRYAN and the majority leader, I wish to announce that the Subcommittee on Post Office and Civil Service, which I chair, has scheduled hearings on Federal pension plans for Monday, May 15, and Monday, May 22, at 2 p.m. They will be held in room 342 of the Dirksen Building.

The May 15 hearing will be devoted to the mechanics of Federal pension plans, including their application to Congress, and a review of proposals for modifying congressional pension coverage. The May 22 hearing will be a broad discussion of Federal plans, and will include a comparison with private sector pension plans. GAO will review the considerable research which they have compiled in this area.

There are several goals to these hearings which include taking a close look at congressional pension coverage; assessing the merits of the differential between this coverage and standard Federal pension coverage; and reviewing the Federal pension systems to determine if changes need to be made which would enhance the current plans, and also protect the financial soundness of these systems.

I thank the Chair for the opportunity to announce these hearings.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THURMOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERSTATE TRANSPORTATION OF MUNICIPAL SOLID WASTE ACT

The Senate continued with the consideration of the bill.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the hour of 10 o'clock having arrived, the clerk will report the motion to invoke cloture.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the pending committee substitute amendment to S. 534, the solid waste disposal bill

John H. Chafee, Bob Dole, Bob Smith, Jim Jeffords, Hank Brown, Kit Bond, Orrin Hatch, Spencer Abraham, Jon Kyl, Larry E. Craig, Kay Bailey Hutchison, Trent Lott, R.F. Bennett, Pete V. Domenici, Dirk Kempthorne, Jesse Helms.

CALL OF THE ROLL

The PRESIDING OFFICER. By unanimous consent, the quorum call has been waived.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the pending committee substitute amendment to S. 534, the solid waste disposal bill, shall be brought to a close? The yeas and nays are required. The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Pennsylvania [Mr. SPECTER] and the Senator from Virginia [Mr. WARNER] are necessarily absent.

Mr. FORD. I announce that the Senator from Rhode Island [Mr. PELL] is necessarily absent.

The PRESIDING OFFICER (Mr. INHOFE). Are there any other Senators in the Chamber who desire to vote?

The yeas and nays resulted—yeas 50, nays 47, as follows:

[Rollcall Vote No. 165 Leg.]

YEAS—50

Abraham	Frist	McCain
Ashcroft	Gramm	McConnell
Bennett	Grams	Murkowski
Bond	Grassley	Nickles
Brown	Gregg	Packwood
Burns	Hatch	Pressler
Campbell	Hatfield	Roth
Chafee	Helms	Santorum
Coats	Hutchison	Shelby
Cochran	Inhofe	Simpson
Cohen	Jeffords	Smith
Coverdell	Kassebaum	Snowe
Craig	Kempthorne	Stevens
DeWine	Kyl	Thomas
Dole	Lott	Thompson
Domenici	Lugar	Thurmond
Faircloth	Mack	

NAYS—47

Akaka	Feingold	Leahy
Baucus	Feinstein	Levin
Biden	Ford	Lieberman
Bingaman	Glenn	Mikulski
Boxer	Gorton	Moseley-Braun
Bradley	Graham	Moynihan
Breaux	Harkin	Murray
Bryan	Heflin	Nunn
Bumpers	Hollings	Pryor
Byrd	Inouye	Reid
Conrad	Johnston	Robb
D'Amato	Kennedy	Rockefeller
Daschle	Kerrey	Sarbanes
Dodd	Kerry	Simon
Dorgan	Kohl	Wellstone
Exon	Lautenberg	

NOT VOTING—3

Pell	Specter	Warner

The PRESIDING OFFICER. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

Mr. CHAFEE. Mr. President, many people have asked what is going to happen for the remainder of the day. What we would very much like to do is get these amendments disposed of as quickly as possible. I know that many people have plans. We would like to see how many amendments there are around here. I think most of the players are here. If people could tell us who has an amendment, then we could figure where we go from here.

Now, who has an amendment? All right. Senator COATS. We are conscious of his. Senator GORTON. We are conscious of his. That is the same one as Senator MURRAY's, right?

Mr. GORTON. That is correct.

Mr. CHAFEE. Who else? Senator DORGAN has an amendment. I hope people will speak up because we would like to close out the amendments, if possible, if we can get an agreement. Senator BOXER, I am sure, has one. We are not seeking a big list. I know Senator BOXER has an amendment. Senator D'AMATO.

Mr. D'AMATO. I may have some very comprehensive, exhaustive amendments. I hope I do not have to offer them.

Mr. CHAFEE. We hope you do not, too. If you can check with your Cloakroom and see, we will do the same. We want to press this along and hopefully finish today. We know a lot of people have engagements.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. I have a very brief statement with regard to the legislation. If you are looking for a few moments of free time, I could do that.

Mr. CHAFEE. If the Senator could withhold for a minute.

Mr. MURKOWSKI. Sure.

Mr. CHAFEE. Is Senator DORGAN ready to go?

This would involve a rollcall vote on Senator DORGAN's amendment, if he proceeds with it.

Mr. MURKOWSKI. My statement is very short and is on the bill.

Mr. CHAFEE. Mr. President, I ask if we could give 30 seconds or 1 minute to the Senator from Alaska to make a statement, and then if I could have the floor again, we will return to Senator DORGAN's amendment.

The PRESIDING OFFICER. The Senator from Alaska [Mr. MURKOWSKI] is recognized.

AMENDMENT NO. 861

Mr. MURKOWSKI. Mr. President, I want to thank Senator CHAFEE, and Senator BAUCUS, the floor managers; Senator SMITH, the subcommittee chairman; and Senator KEMPTHORNE for accepting my amendment last night which extends the efforts of Senator KEMPTHORNE, who amended the interstate waste disposal act to provide for practicable solid waste regulations that take into account the remote nature of Alaska Native villages—that is, relief from covering landfills, controlling access to landfills by an operator, et cetera—to cover all Alaska villages.

This provision is not a blanket exemption from all landfill standards for these facilities; rather, the governor of Alaska will have flexibility to set appropriate standards based on local conditions.

My amendment provides for workable solid waste regulations for all Alaska villages. The problems faced by Native village landfills are the same as those faced by other small, remote villages; both need regulatory relief.

I have a list of Alaskan villages not classified as "Native villages" under the Alaska Native Claims Settlement Act. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

NON-ANSCA VILLAGES

Paxson.
Seward.
Chicken.
Seward.
Skwentna.
Healy.
Kupreanof.
Tok.
Elfin Cove.
Siana.
Central.
Medfra.
Wiseman.
Houston.
Willow.
Tonsina.
Northway Junction.
Tenakee Springs.
Circle Hot Springs.
Gustavus.
Coffman Cove.
Ft. Glenn.
Talkeetna.
McCarth.
Kenny Lake.
Livengood.
Pelican.

PROBLEM

Mr. MURKOWSKI. Landfills in remote areas of Alaska do not have the resources to comply with Federal solid waste management regulations. Many communities have no local government at all, or operate all community services on an annual budget of $25,000 to $80,000. If landfills close, the result will be illegal dumping on the lands, or into the rivers, because no other alternatives exist.

Unlike areas in the lower 48 States, if Alaska's village landfills are forced to close for economic reasons, the waste often cannot be disposed of in regional facilities because the necessary transportation infrastructure simply does not exist. Many villages are accessible only by aircraft, or in some cases, seasonal water transportation. Alaska is different from the lower 48 where distances may be great, but communities are connected by road to regional landfills.

Mr. CHAFEE. If Senator DORGAN is ready to go, can we get a time agreement?

Mr. DORGAN. Mr. President, I have no objection to a time agreement. If I might offer the amendment, I will make some remarks, and then we will talk about a time agreement.

Mr. CHAFEE. What about 20 minutes equally divided?

Mr. DORGAN. Let me offer the amendment first and make a few remarks. It is not my intent to prolong it.

The PRESIDING OFFICER. Does the Senator from Rhode Island yield for that purpose?

Mr. CHAFEE. Yes.

AMENDMENT NO. 914

(Purpose: To amend the definition of "municipal solid waste" to include industrial waste regardless of whether the industrial waste is physically and chemically identical to other municipal solid waste)

Mr. DORGAN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN] proposes an amendment numbered 914.

The amendment is as follows:

On page 49, line 16, insert the following after "thereof)" and before the period: "and any solid waste generated by an industrial facility"

On page 50, strike line 22 and all that follows through page 51, line 2.

Mr. DORGAN. Mr. President, I have an amendment at the desk. My amendment is not particularly complicated, although it might be controversial. My amendment would change this legislation so that the bill includes all solid waste generated by an industrial facility with respect to the definition of waste addressed in this legislation.

Currently, this legislation addresses municipal waste. That is, waste that is generated by the general public or from a residential, commercial, institutional, or industrial source consisting of certain kinds of materials. That is what constitutes the definition of municipal waste in the bill.

In my judgment, this legislation moves in the right direction in the sense that it gives the States the opportunity to control, to some extent, their own destiny. At the present time, the interstate commerce clause prevents States from having any say at all when somebody decides to load train loads of waste in one jurisdiction and move it to another jurisdiction. The folks who live in the second jurisdiction have no right to say no. They have no right to say, "You can't do that to our neighborhood. You can't bring this waste to our area, because we don't want it." There is no right for them to do that under current law.

This legislation, under certain circumstances, gives the States the opportunity to say no, to decide when they do not want to have additional kinds of municipal waste deposited in their landfills or their waste disposal areas.

The definition of municipal waste in the bill, unfortunately, limits the opportunity for the States to make their views known on the subject of most waste that is moving around the country. Currently, there are 15 million tons of municipal solid waste exported nationwide across borders; 47 States and the District of Columbia, the Canadian Provinces of Ontario and British Columbia, and Mexico exported some portion of their municipal solid waste for disposal in the contiguous United States in 1992; 44 States import some municipal solid waste for disposal; 4 States export more than 1 million tons of municipal solid waste.

But S. 534 applies only to municipal solid waste and does not restrict interstate transportation of industrial waste to the extent that it can be restricted under this bill if the States decided they wanted to try to restrict it. I simply ask the question: Why not include industrial waste? Why would we limit this only to municipal waste? It does not make any sense to me.

The bulk of the waste that is being transported between States is industrial waste. For example, we have a landfill in North Dakota which receives industrial waste. That landfill, Echo Mountain in Sawyer, ND, imports metal grindings, paint waste, water treatment sludge, building demolition material, contaminated soil, liquid and solid waste associated with car manufacturing. None of which would be covered under this legislation in its present form.

The question is, if you are going to give the Governor or you are going to give the State the opportunity to say to those who would bring a stream of waste into their area the right to say no, why would you give them that right with only a small part of the waste? Why not all of the waste? Why not all of the waste including industrial waste?

That is the proposition I offer in this amendment. The amendment is very simple. With only one line change, my amendment changes the definition of waste so that the bill's provisions would include industrial waste. It is not difficult for anyone to understand. The impact of it is very clear. The impact of it gives the States more rights, and, I think, moves in the direction that is intended in this legislation.

So I start on this issue believing that a problem we have in this country with respect to waste disposal is the stream of waste moving back and forth across borders and the corporations in this country whose business it is to try to find places to put waste. I happen to think that smaller, less populous States who may not want to have an enormous amount of waste transported in for profit, ought to have the right to say, "No, thank you, that is not what we want for our future. We have the right to determine our own future, and this is not what we want."

The committee brings a bill to the floor that says that is the right of the States with respect to one category of waste—municipal. But then they say by omission it is not the right of the States with respect to the broad category of other waste, especially industrial. I say why the inconsistency? If States' rights include the opportunity to say no with respect to the import of municipal waste, why not the same right with respect to industrial waste?

Mr. President, I know that this is a controversial amendment. I know that we will hear that this legislation is a carefully crafted balance and if anything should upset the balance, the whole thing falls. We hear that on every bill that comes to the floor. It is like a loose thread on a $20 suit, you pull the thread and the arm falls off. We hear that every time there is a bill on the floor of the Senate.

All I am interested in doing is to say that if the philosophy by which this bill is being brought to the floor makes any sense at all, namely that is the States should have the right to say no to the waste flow coming into their States of municipal waste, then that philosophy holds true with respect to industrial waste as well.

I hope that both managers of this bill will stand up and immediately accept this amendment and thank me for offering it and say that it improves this bill immensely, and I will leave the floor a very happy person.

Mr. President, I yield the floor.

Mr. CHAFEE. Mr. President, can we get a time agreement? Will the distinguished Senator agree to 20 minutes equally divided, and if we do not use it, fine?

Mr. DORGAN. That is fine with me, Mr. President.

Mr. CHAFEE. Mr. President, I so ask unanimous consent.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAFEE. Mr. President, the Senator was quite right when he said this was a carefully crafted bill. What it is, it is a balance between the exporters and the importers, and the exporters and the importers have agreed—are very close to agreement now—on dealing with municipal solid waste. If you throw a new equation into it, a new element into the equation, such as how many different kinds of wastes are there—oh, there is hazardous waste and there is industrial waste and there is construction and demolition debris—all of these things. We have become experts on waste around here. But we do not know what the volumes are, for example, of this industrial waste that the Senator is talking about. Suppose that added into the numbers that were exported or imported and affected how much the quotas could be that come into each State. This whole bill, clearly, would just drop down. If we want a killer amendment, this is it, Mr. President.

I respect the earnestness of the Senator who offered it, and if he wants to come around sometime later in future years and say now we have worked it out with municipal solid waste, with the import and export restrictions and the volumes and how much there can be in future years and so-called ratchets, that is fine, but not today. We have enough problems with this legislation without adding this element into it.

So I very much hope that my colleagues will reject the amendment.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, the Senator from North Dakota somewhat sarcastically says—it is not his intention, obviously—that his amendment will not sink the bill as he suggests the managers of the bill will say. The fact is this amendment will sink this bill. The reason is because there is so much construction, demolition material, there is so much sludge, there is so much wastewater treatment, there is so much of this in interstate commerce today.

Many States want to ship this material to another State to help, frankly, with Superfund cleanup or to deal with their waste in a way that makes good sense to their own State, and vice versa. It works both ways. Every State in the Nation ships this material out of State. Every State does and every State receives some.

So if this amendment were to be adopted, the general commerce today of the interstate shipment of construction and demolition material generally, and the other material that is covered by the Senator's amendment, would be severely disrupted and stopped. What then happens?

It is not going to happen because Senators are going to stand up and filibuster this bill because they know that they represent interests in their States who want to be able to ship material through interstate commerce.

It is true that we have to have a balance here. On the one hand, people want to ship waste whenever they want to ship it. The free market system.

On the other hand, governments, particularly State governments and local municipalities, want to protect themselves. They want to enact laws to protect themselves against the free market.

It is the tension that always exists. It is what we try to do around here; namely, we try to find a balance between those two tensions. There is also another tension here, another balance we have to try to pursue. That is between States and the Federal Government.

Our national motto is "e pluribus unum," one out of many. We are many States. We are 50 States. We are not 50 nations. We are 50 States. We are one nation, the Federal system. We are trying to figure out how to craft that balance.

Mr. President, it reminds me very much of something a very wise person said not too many years ago. That is, all of American political thought can be summed up in two sentences. No. 1, get the government off my back; No. 2, there ought to be a law about that.

That is what we are facing here. That is what this question comes down to. Get the government off my back, the opponents of the amendment said, because they want to be able to ship this material to different States, and have interstate commerce. There ought to be a law about that, is what Senators say.

Mr. President, we carefully considered this question in the committee, and we decided that with respect to municipal waste, which is more easily accounted for and which really bothers communities more than industrial waste, that we should set up a system with certain restrictions and certain guidelines. States, under certain circumstances, can restrict the amount of municipal waste that comes into their States. That is what we are doing.

Industrial waste is a whole different category. As I said, and the Senator from Rhode Island said, we really cannot account for it and do not know how much it is. Frankly, I do not see why the Senator from North Dakota is getting so worked up about this, because industrial waste is not really the problem that most States have. It is municipal waste, and also, it is hazardous waste. Hazardous waste is accounted for in an entirely different category and not the subject of this bill.

Mr. President, to sum up, I understand the concerns of the Senator from North Dakota, but it is true that if this amendment passes, there can be a lot of Senators going to come to the floor and say, wait a minute, we are not for this bill. We will vote against this whole bill.

Then what will happen? Then the citizens of North Dakota are not going to be able to limit the imports of out-of-State municipal garbage otherwise coming into North Dakota. That is because the Supreme Court said North Dakota cannot do that unless this bill passes.

I think the Senator from North Dakota and all Senators want this bill to pass so that States are able to limit municipal trash coming into their own States.

For those reasons and the fundamental reason, just to make it crystal clear, if this amendment is adopted, Senators will come to the floor, and they will be against this bill because it restricts commerce way too much. No bill. And then nobody wins, everybody loses.

I therefore urge the Senate not to adopt this amendment.

Mr. DORGAN. Mr. President, I was right. It is not that I have a crystal ball over here, but I guess the argument is that whether or not this is a good idea if the Senate would adopt this, it will sink the bill. I do not know first hand of the flotation properties of this bill or who constructed it or how long it might float.

I do know that this is a pretty good idea to say if it is a good idea that the Governors ought to have the right to say no on the importation of municipal waste, there is no reason to prevent them from doing the same on industrial waste. If it is a good idea to give the States the opportunity to make their own judgment about some of these things, why is it a good idea to limit it to the smallest part of the waste that is moving around?

Let me tell the Senators as an example, North Dakota imported 73,000 tons of municipal solid waste and 150,000 tons of industrial waste.

Now, if we are saying the Governor or the State ought to have the right to say, "No," under certain circumstances, to a small part of the waste that is moving in, but does not have a similar right with respect to the larger part, I do not understand that. I do not think that holds up philosophically.

The other part of the argument apparently is the claim that industrial waste cannot be included in this bill because there is too much of it. The claim is that if the bill includes industrial waste, we will get a lot of people upset. They will come over here and filibuster, and we do not get a bill.

If industrial waste cannot be included because there is too much of it, I guess that makes my case. If there is too much industrial waste moving between States, that is especially what we ought to be dealing with here on the floor of the Senate.

My own sense is that the opposition to this is not consistent. I feel strongly that if we are going to do this with respect to municipal waste, we also ought to do it with respect to industrial waste, and be consistent. We should decide that States ought to have the right.

It was said a few minutes ago that the mood is "get government off our backs." I understand that mood. But there is another mood out there by some people who say, "I don't want garbage in my backyard. I don't want people to bring garbage into the areas where I have grown up."

This bill gives them the right to reject that in limited circumstances, but does not give them the similar right in the broader circumstances with respect to industrial waste.

I appreciate being called earnest, at least, and I do hope that whether it is on this piece of legislation or at some point in the future, the discussion about waste and its movement in our country that there will be an opportunity for people in the States to make their own judgment about industrial waste as well. If not now, then at some point in the future.

Mr. President I shall not take further time. This is very clear.

I yield back my time, and I ask that we have the yeas and nays on my legislation, or if the Senator from Rhode Island has different objectives.

Mr. CHAFEE. Mr. President, what I really hope is that the Senator will

withdraw his amendment. As the Senator knows, we have had no hearings on this. We have arrived at the tonnage limitations that affect importing States and exporting limits.

We have had them agree to this very carefully, through a lot of laborious negotiations. If we add all the tonnage that comes with so-called industrial waste, and nobody knows how to define "industrial waste," then we truly have upset the apple cart.

What can we promise the Senator? I think he has a legitimate request that in the committee we would consider how to handle—I suppose we could get into municipal waste, into construction, demolition debris, also, and maybe that is something we ought to look at in the future.

I do not want to say we will do it immediately if we agree to it. We have a pretty full agenda in that committee.

I say to the Senator that I would agree to having some hearings in the future. I am not saying this calendar year, because this calendar year is really just taken up with all kinds of challenges in the committee including endangered species, Superfund, clean water, plus the other things we have on the agenda.

Mr. DORGAN. Mr. President, this amendment is not a surprise. We have been sending information over to the committee for a couple of years. I filed a bill on this during the last session of Congress, and I have talked to the committee about it.

I certainly respect the views of the two managers of the bill, the Senator from Rhode Island and the Senator from Montana, but I would very much like a vote on my amendment.

Mr. BAUCUS. Mr. President, there is another point here which I think is quite relevant. Very little is known about industrial waste. Much more is known about municipal waste. That is why we in the committee decided the limits we came up with.

I think it is very, very dangerous to legislate in ignorance. Very dangerous. This body is, I might say, pretty much ignorant when it comes to industrial waste. We do not know the numbers. We did not know the volumes. We do not know enough about the practice, very little about the practice. I think it would be very, very dangerous for this body to legislate in ignorance. We may do that sometimes around here, and we may do it with some frequency around here, but it does not justify it.

For that reason, too, I think it is important that this amendment not be adopted here. There is time to deal with this. There is no huge outcry. My office is not inundated. I daresay the offices of other Senators are not inundated with letters from people at home saying do something about industrial waste.

That is not the cry. What we hear is, "Do something about municipal waste. Do something about garbage." This is not garbage in the traditional sense of the term. This is industrial waste.

In addition, I might underline an earlier point I made. That is, a lot of generators, waste generators around the country, want to avoid Superfund sites, causing industrial waste to go to a site which will then become a Superfund site, so they send the material to sites that have the best environmental technology. Those sites are not always in that same State. Often, they are in adjacent States. So generators want to send material to the site that has the best environmental technology to avoid that site being a Superfund site.

If we were, today, to put more restrictions in, that would make it more difficult for generators of industrial waste to send that material to an environmentally safe site.

For example, I have a letter from the Associated General Contractors of America and a letter from the National Association of Manufacturers, which I would like to put in the RECORD. They basically make the same point opposing this.

I ask unanimous consent to have the letters printed in the RECORD.

There being no objection, the letters were order to be printed in the RECORD, as follows:

THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA,
Washington, DC, September 30, 1994.

Hon. MAX BAUCUS,
Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: On Wednesday, September 28, the House passed H.R. 4779, the State and Local Government Interstate Waste Control Act of 1994 and it is now pending in the Senate. We understand the Senate will soon consider this legislation and may attempt to broaden the coverage beyond municipal solid waste to include industrial wastes. The Associated General Contractors of America opposes this expansion.

Industrial wastes, particularly from construction projects, are fundamentally different from municipal solid wastes. There are specific regulatory programs requiring proper treatment, storage and disposal of wastes generated by industry using specialized methods at specialized facilities. (The Resource Conservation and Recovery Act of 1976 is one such program.) Not all States have adequate capability to manage industrial wastes. Given the potential of liability under Superfund, generators of industrial waste have great incentive to fully and properly dispose of these wastes. To limit the transfer of industrial wastes may limit the contractor from disposing of the waste at the most environmentally protective facility available, regardless of location. Restrictions on the interstate movement of industrial wastes under this amendment would force contractors to seek management of wastes at facilities that may not meet the most stringent environmental standards.

For these reasons, AGC urges you to oppose any effort to place restrictions on the interstate movement of industrial waste. Thank you for your consideration.

Sincerely,

HEIDI H. STIRRUP,
Director,
Congressional Relations, Environment.

NATIONAL ASSOCIATION OF MANUFACTURERS,
Washington, DC, September 30, 1994.

Hon. Max Baucus,
U.S. Senate,
Washington, DC.

DEAR SENATOR BAUCUS: The National Association of Manufacturers (NAM) has learned that the Senate will soon consider legislation addressing the interstate movement of municipal solid waste (MSW). The NAM strongly opposes broadening the bill to include industrial and other wastes.

The NAM believes manufacturers need the maximum flexibility in determining the destination of wastes to disposal facilities and that barriers—such as bans on interstate shipment of waste—would prove detrimental to that flexibility.

Many industrial and hazardous wastes require specialized treatment for their proper management. Due to the high cost of building these specialized treatment and disposal facilities, adequate capability does not exist in all states. Generators of industrial wastes must be allowed to safeguard against Superfund liability by sending waste to the highest technology, most environmentally protective facilities available, regardless of their location. Industrial waste generators often incur great cost to ship their waste to a specialized facility so that they can isolate their waste, and therefore their liability, at one location, rather than multiple locations throughout the country. Restrictions on the interstate movement of industrial waste under this bill could cause artificially inflated waste management costs and undue financial burden to manufacturing companies that are implementing waste minimization and recycling programs. Such restrictions also would have an adverse impact on the environment if responsible waste generators are forced to utilize facilities that are ill-equipped to handle their particular types of waste. If companies generating waste are to remain financially liable for the disposal of their waste, then it is critical that the scope of the pending legislation be limited to MSW.

For the above reasons, the NAM urges you and your colleagues to oppose any effort to place restrictions on the interstate movement of industrial waste. Thank you for your consideration of our position. Please do not hesitate to contact Theresa Knieriemen Larson of our staff at (202) 637-3175 if you have any questions.

Sincerely,

RICHARD SEIBERT, Jr.

Mr. BAUCUS. Mr. President, for that reason, and the basic one that if this is adopted, I do not know what the prospects of the bill will be, I urge that this amendment be defeated.

If there is no Senator seeking time, I move to table the amendment and ask for the yeas and nays.

Mr. DORGAN. Mr. President, I have one additional comment to make, but I prefer to close this debate, if I might. Are there other people on the floor wishing to speak?

The PRESIDING OFFICER. The Chair observes the time has expired for the Senator from Rhode Island. Would the Senator like to yield some of his time to the Senator from New Hampshire? The Senator has 6 minutes remaining.

Mr. CHAFEE. Mr. President, I wonder if we could agree to give the Senator from New Hampshire 2 minutes?

Mr. DORGAN. I have no objection.

Mrs. BOXER. Reserving the right to object, would that add time to the debate? There are some who cannot see a delay in time. I am sorry.

Mr. DORGAN. I yield to the Senator from New Hampshire 2 minutes of my time. I have no interest in prolonging this.

Mr. SMITH. I appreciate that action of the Senator from North Dakota. I am speaking against his amendment, so I would say that is a very generous action.

I say with the greatest respect to the Senator from North Dakota, this is really a killer amendment. We do not know how much industrial waste is shipped nationwide. We have no idea. We have no idea how this amendment is going to affect our national system of disposing of this material. Every State, nationwide, ships industrial waste. There is the potential to adversely affect every single State in the Union. We had a very careful agreement on export and import ratchets in this bill, very carefully crafted. This is going to adversely affect the whole amendment. We just have no idea what the impact would be.

So my concern is that it opens the door to other restrictions on exports, such as incinerator ash, sludges, hazardous waste, asbestos—who knows? That is my main concern. We have not had any hearings. It is just a new issue that is suddenly injected into the debate here, so I strongly urge the amendment be defeated.

I thank my colleague and yield the remainder of my time to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, let me reiterate something, and then I will be glad to go to a vote.

The real reason here is that there is too much industrial waste. That is, if you strip away all the arguments, the issue comes down to the claim that there is too much of it so we should not include it. The managers claim that we can only get an agreement on the limited amount, namely municipal waste. The big corporate interests do not want industrial waste included. I understand that. But if you are in a neighborhood or region and folks are bringing industrial waste in by the train car loads, unit train after unit train, it seems to me if Congress says on this little area called municipal waste, you have a right to say something about that, but upon the bigger area of industrial waste, sorry, you do not have any rights, that does not make any sense to me. I think it is philosophically inconsistent.

I understand. I think highly of both managers of this bill. They have done a lot of hard work on this. But this is not a surprise to anybody. We had a hearing in Bismarck, ND, on this very issue under the jurisdiction of the Commerce Committee a couple of years ago. I submitted legislation in the last session of Congress dealing with industrial waste. I have been in touch with the committee on it over time. So this is not a surprise. It is not that we are ignorant about industrial waste. I know how much industrial waste goes into North Dakota versus municipal waste; twice as much industrial as municipal. And if you say the State has a right to say no to municipal but you do not have a right to say no to something twice as big, you have taken away the opportunity for the State to say no on the quantity. That is important to us.

That is the reason I offer my amendment. And I would like a record vote on it.

Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. BAUCUS. Mr. President, I move to table the amendment.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the amendment No. 914. The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Pennsylvania [Mr. SPECTER] and the Senator from Virginia [Mr. WARNER] are necessarily absent.

Mr. FORD. I announce that the Senator from Georgia [Mr. NUNN] and the Senator from Rhode Island [Mr. PELL] are necessarily absent.

I further announce that, if present and voting, the Senator from Rhode Island [Mr. PELL] would vote "yea."

The PRESIDING OFFICER (Mr. COVERDELL). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 79, nays 17, as follows:

[Rollcall Vote No. 166 Leg.]

YEAS—79

Abraham	DeWine	Jeffords
Akaka	Dodd	Johnston
Ashcroft	Dole	Kassebaum
Baucus	Domenici	Kempthorne
Bennett	Faircloth	Kennedy
Biden	Feinstein	Kerrey
Bond	Ford	Kerry
Boxer	Frist	Kohl
Bradley	Gorton	Kyl
Brown	Graham	Lautenberg
Bumpers	Grams	Lieberman
Burns	Grassley	Lott
Campbell	Gregg	Lugar
Chafee	Hatch	Mack
Coats	Hatfield	McCain
Cochran	Heflin	McConnell
Cohen	Helms	Mikulski
Coverdell	Hutchison	Moseley-Braun
Craig	Inhofe	Moynihan
D'Amato	Inouye	Murkowski
Murray	Roth	Snowe
Nickles	Santorum	Stevens
Packwood	Sarbanes	Thomas
Pressler	Shelby	Thompson
Pryor	Simon	Thurmond
Robb	Simpson	
Rockefeller	Smith	

NAYS—17

Bingaman	Dorgan	Hollings
Breaux	Exon	Leahy
Bryan	Feingold	Levin
Byrd	Glenn	Reid
Conrad	Gramm	Wellstone
Daschle	Harkin	

NOT VOTING—4

Nunn	Specter
Pell	Warner

So the motion to lay on the table the amendment (No. 914) was agreed to.

Mr. DOLE. Mr. President, I wanted to indicate to my colleagues that we are going to continue voting throughout the day. We are going to try to finish this bill. We will have votes on Monday, and we will have votes next Friday. And we will file cloture again this afternoon on this bill. I hope it can be finished today, but we have to complete our work around here, and we are not moving very quickly. So there will be votes throughout the day.

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Rhode Island.

Mr. CHAFEE. We are anxious for people with amendments to bring them up. I think Senator DEWINE had an amendment. Let us see what his decision is on that. But we are pressing for these folks to bring forward their amendments. If they are going to offer them, fine. If they are not going to offer them, would they tell us.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. AKAKA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CUTS IN MEDICARE

Mr. AKAKA. Mr. President, earlier this week House and Senate Republicans unveiled their respective 7-year budget resolutions. The promise of the House resolution—a balanced budget by the year 2002 and tax cuts for wealthy Americans—is being championed by several prominent Senate Republicans. Although the Senate budget resolution contains a Boxer amendment that expresses the sense of Congress that 90 percent of the benefits of potential tax cuts go to the middle class, I have every expectation that the Republican bill will be a windfall for the wealthy. Moreover, the details on how the savings would be achieved are sketchy and are left for authorizing and appropriating committees.

The Senate Budget Committee resolution assumes a $256 billion cut in

Medicare spending over 7 years, but provides no guidelines to the Senate Finance Committee on how these savings will be achieved. This proposed cut is by far the largest Medicare cut in history, and the adverse impact on beneficiaries and providers is clear.

If Medicare cuts of this magnitude are approved, the Department of Health and Human Services estimates that senior citizens' out-of-pocket expenses will increase by $900 a year or a total of $3,500 over the 7 years. As 83 percent of Medicare benefits go to beneficiaries with incomes of $25,000 or less, it is obvious who will be hurt by these cuts, yet the budget remains silent on how it will be done.

In addition, cuts to providers would have serious ramifications on overall health care costs as cuts in provider reimbursement are often passed along to other payers. Provider cuts could also have a potentially devastating impact on urban safety-net hospitals which already bear a disproportionate share of the Nation's growing burden of uncompensated care. These reductions in Medicare payments could also endanger access to care in rural areas. Nearly 10 million Medicare beneficiaries—25 percent of the total—live in rural areas. There is often only a single hospital in their county. Significant cuts in Medicare have the potential of causing rural hospitals to close or increase the number of providers that refuse to treat Medicare beneficiaries.

I was appalled to hear that during markup of the resolution, the Senate Budget Committee, on a party-line vote, rejected two proposals to restore funding to Medicare in lieu of providing tax cuts. Obviously, this massive cut in Medicare funding would be unnecessary if Republicans did not have to pay for a tax cut for wealthy citizens.

We must work to ensure that any effort to extend the solvency of the Medicare trust fund does not put Medicare beneficiaries at risk. And we must protect the program for future enrollees. I support President Clinton's view that the Medicare trust fund must be resolved in the context of health care reform.

Mr. President, without comprehensive health care reform, significant cuts in Medicare and Medicaid will seriously harm beneficiaries and the total health care system as costs will be shifted onto families and businesses. Only by focusing on the entire health care delivery system will we be able to address issues within Medicare and preserve access for Medicare beneficiaries and underserved populations.

Let me close on this point. While we have heard Members on the other side of the aisle promise to protect Social Security, the GOP budget reaches balance by the year 2002, only by including the Social Security trust funds in the budget calculations.

While I fully recognize the critical need to ensure long-term stability in the Medicare Program and support efforts to balance our budget, I am opposed to using arbitrary cuts in the Medicare Program to finance a tax break for wealthy Americans. I look forward to working with my colleagues on addressing these important issues.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERSTATE TRANSPORTATION OF MUNICIPAL SOLID WASTE ACT

The Senate continued with the consideration of the bill.

THE BOTTLE BILL AMENDMENT

Mr. HATFIELD. Mr. President, as the Senate discusses the difficult issue of solid waste management, I would like to point out to my colleagues that 10 States have achieved great success by implementing some form of beverage container deposit system. My home State of Oregon, for example, has had remarkable success with its own bottle bill for over 20 years. Consequently, I am offering the National Beverage Container Reuse and Recycling Act as an amendment to the interstate waste bill.

So often, States serve as laboratories for what later emerge as successful national policies. The State of Oregon and other bottle-bill States have proven that deposit programs are an effective method to deal with beverage containers, which make up the single largest component of waste systems. According to the General Accounting Office, deposit-law States, which account for only 18 percent of the population, recycle 65 percent of all glass and 98 percent of all PET plastic nationwide. That means 82 percent of the population is recycling less than 25 percent of our Nation's beverage container waste.

The amendment I have placed before the Senate today will accomplish national objectives to meet our Nation's massive waste management difficulties. A national deposit system will reduce solid waste and litter, save natural resources and energy, and create a much needed partnership between consumers, industry, and local governments for the betterment of our communities.

As someone who grew up during the Great Depression, I am constantly reminded of the throw-away ethic that has emerged so prominently in this country. In this regard, Oregon's deposit system serves a much greater role than merely cleaning up littered highways, saving energy and resources, or reducing the waste flowing into our teeming landfills. The bottle bill acts as a tutor. It is a constant reminder of the conservation ethic that is an essential component of any plan to see this country out of its various crises. Each time a consumer returns a can for deposit, the conservation ethic is reaffirmed, and hopefully the consumer will then reapply this ethic in other areas.

As many of my colleagues know, I have a 20-year history on this issue and have been greatly enthused by developments in recent years in promoting the establishment of a national bottle bill. The amendment I filed today is identical to the legislation I introduced last Congress. Although this bill has historically been referred to the Senate Commerce Committee, in recent years significant actions on this measure have come in the Senate Environment and Public Works Committee and the Energy and Natural Resources Committee.

Senator JEFFORDS offered the bill as an amendment to the Resource Conservation and Recovery Act [RCRA] in the Environment and Public Works Committee during the 102d Congress. Even though this attempt failed by a vote of 6 to 10 it was a monumental step forward. Additionally, during that same Congress a hearing was held in the Senate Energy and Natural Resources Committee on the energy conservation implications of beverage container recycling as outlined in that session's bottle bill, S. 2335.

I regret that I continually have come to the Senate floor to force the Senate to take action on this matter, but that seems to be the only effective procedure for moving forward on this bill. For example, during the 1992 Presidential campaign, candidate Bill Clinton declared his support for a national bottle bill. However, once he took office he and a Democratic-controlled Congress were surprisingly silent on the issue in the 103d Congress. Consequently, here I am again offering the Beverage Container Reuse and Recycling Act as an amendment on the Senate floor.

Mr. President, this is an active approach to dealing with solid waste before it becomes waste. It is widely acknowledged that recycling is the wave of the future and this amendment will facilitate the recycling of beverage containers. I firmly believe the time has come for Congress to follow the wise lead of these States and encourage deposit systems on a national level. I strongly urge my colleagues to fully examine the benefits of a national beverage container deposit system and to adopt this amendment.

BOTTLE BILL

Mr. JEFFORDS. Mr. President, a national deposit law is a commonsense,

proven method to increase recycling, to save energy, to create jobs, and to decrease waste generation. The experience of 10 States, including Oregon and Vermont, attest to the success of a deposit law or a bottle bill as it is commonly called.

Bottle bills work. These laws have been successful in every State that has one. Recycling rates of over 70 percent have been achieved for beverage containers in the bottle bill States. The rate is over 90 percent in Vermont. Furthermore, jobs have been created by this legislation, not lost, and a majority of Americans support a national deposit law.

There is a misconception in some people's minds that deposit legislation is not compatible with curbside recycling programs. Nothing could be further from the truth. Nine of the 10 States with deposit laws have vibrant curbside recycling programs.

Mr. President, both Senator HATFIELD and I have been working on this issue for more than 20 years. In both of our States, curbside recycling programs are working in tandem with beverage container deposit systems. In today's world, we must make every effort to conserve precious natural resources and reduce our use of energy. I ask my colleagues to support this measure and thank the managers for considering our amendment.

Mr. HATFIELD. Mr. President, I have an amendment at the desk I would like to make a few remarks about. For over two decades, my State of Oregon, and about the same period of time the State of Vermont, have had on the books and in practice what we call the bottle bill. When you buy soft drinks and beer in my State, whether they are in the can or the bottle, you pay a deposit. That deposit becomes an incentive for people to return those bottles and cans rather than dumping them in the garbage and adding to the problem of trash and refuse in this country.

We have found it to be highly successful. At first there was a great deal of concern expressed by merchants about the additional costs of administering this program. There was a great deal of discussion about the possibility of labor being impacted. We have demonstrated, along with a modification or variation on a theme in a few other States, an effective measure to reduce litter and to recycle the glass from the bottles and the metal from the cans.

I have offered this at a national level for over 20 years and it is very interesting that the beer industry opposes it very strongly. My good friend, the former Senator from Wisconsin, Gaylord Nelson, was the founder of Earth Day. However, every time I introduced the bottle bill, this great environmentalist would be the first to stand and oppose it because it was the beer industry that opposed it in his State. We had the same thing from the soft drink industry; they opposed it.

Now we find there is no longer solid opposition. Joe Coors, of the Coors Breweries, has swung around. I think Hamm's beer—of course Blitz-Weinhard, in our State—is supportive of the proposal. Now one of the largest growing beer producers in the State of Oregon are microbreweries. There is no longer the solid phalanx of opposition.

I have asked, I suppose 100 times, for a hearing. And I have not been able to get a hearing on this bill.

We had a sponsor at one time many years ago, not the Senator from Massachusetts but a Congressman from Massachusetts, and he was urged and persuaded to get off the bill because of the opposition of organized labor in his State. That has been true across this country. There is a lot of misunderstanding on the part of organized labor and others, that this is somehow going to add to their costs or, that it is a beautification issue, not a recycling, refuse, or trash issue. It is all of them.

I had intended to raise the bottle bill as an amendment to this bill from the floor. I rarely raise amendments that have not had hearings. I am a traditionalist, and believe that issues of this kind should go through a hearing process through the committees of jurisdiction. However, I have had private conversation with the chairman of this committee, Senator CHAFEE. I wanted to say to Senator CHAFEE I am not trying to hold up this bill. I support it and I would like to see it enacted into law. Nevertheless, I feel just as strongly about trying to get some kind of a hearing to move the bottle bill through the Congress at some point during my lifetime.

So I would yield to the chairman of the committee at this moment, if he would like to make any comment or give me some assurance of a hearing?

The PRESIDING OFFICER. The Chair recognizes the Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I want to pay tribute to the senior Senator from Oregon. He has been persistent in this measure. I do not recall that we ever had a hearing in the committee. But I do recall we had a vote in the committee. As I recall, Senator JEFFORDS, then a member of the committee, raised it so we did have a vote in the committee on it.

Mr. HATFIELD. Right.

Mr. CHAFEE. The vote failed. However, the Senator has been very gracious in his handling of this subject. I would be glad to arrange a hearing for his legislation in our committee.

I just say this, if he could give us a little time? We are chock-a-block in that committee right now. But in due course I certainly will work in a hearing.

Mr. HATFIELD. I appreciate the Senator's commitment and that satisfies my request.

Mr. CHAFEE. Let me say briefly, this. In my State I have always been a supporter of the bottle bill.

But then it turns out that in our recycling efforts, the thing that makes the recycling effort go is the fact that the recycling center is able to earn money from the aluminum cans. It is the big money earner for the recycling center and helps carry everything else.

So in our State, we will not want a bottle bill where you would make a deposit and bring it back to the central place and get your refund because that would deprive our recycling centers of this constant flow of very valuable income. But that may be a unique situation.

Mr. HATFIELD. Mr. President, if the Senator will yield, this was a valid issue, as the Senator described it in his State. However, concerns expressed by other States that there is competition between deposits and other recycling programs have been shown to be overstated. We have had studies, and I will be very happy to produce the records of those studies, indicating that this is not a valid concern, and that instead of being a possible deterrent to the ongoing efforts of recycling, it has become an incentive.

So there should not be this sense of competition between a bill of this kind, in which an individual can return a beverage container to the grocery store and get a refund, or other programs where container are returned to recycling centers. We have recycling centers in our State, as well as this deposit law. I would be happy to refer to those studies in more detail at a hearing.

Mr. President, with that assurance, I see the Senator from Massachusetts. I do not know if he wants to get the floor on this issue. If not, Mr. President, I will not call up my amendment on the desk. I thank the Senator for his assurance and look forward to a hearing on this subject.

Mr. CHAFEE. I thank the Senator very much.

Mr. KERRY. Mr. President, unless somebody is about to propose an amendment or wants to proceed, I would like to proceed as if in morning business for a few minutes.

Mr. CHAFEE. Mr. President, I wonder if the Senator will withhold. We have a couple of amendments we can accept. We can dispose of them. They will take very little time.

AMENDMENT NO. 1070

(Purpose: To include in the definition of "out-of-State municipal waste" waste that is generated outside the United States)

Mr. CHAFEE. Mr. President, on behalf of Senator LEVIN and Senator ABRAHAM, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. CHAFEE], for Mr. LEVIN, for himself, and Mr. ABRAHAM, proposes an amendment numbered 1070.

Mr. CHAFEE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 49, strike lines 1 through 8 and insert:

(3) The term "out-of-State municipal solid waste" means, with respect to any State, municipal solid waste generated outside of the State. Unless the President determines it is inconsistent with the North American Free Trade Agreement and the General Agreement on Tariffs and Trade, the term shall include municipal solid waste generated outside of the United States. Notwithstanding any other provision of law, generators of municipal solid waste outside the United States shall possess no greater right of access to disposal facilities in a State than United States generators of municipal solid waste outside of that State.

Mr. BAUCUS. Mr. President, our side has reviewed this amendment and we find it acceptable.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 1070) was agreed to.

Mr. CHAFEE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1071

Mr. CHAFEE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. CHAFEE], for Mr. WARNER, proposes an amendment numbered 1071.

Mr. CHAFEE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 65, line 6, insert "or related landfill reclamation" after "services."

Mr. BAUCUS. Mr. President, we have reviewed this amendment, as well, and also urge its adoption.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 1071) was agreed to.

Mr. CHAFEE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CHAFEE. I thank the Senator from Massachusetts. If he wants to proceed, this is a good time to do it.

ORDER OF PROCEDURE

Mr. KERRY. Mr. President, I ask unanimous consent to proceed as if in morning business.

The PRESIDING OFFICER (Mr. CRAIG). Without objection, it is so ordered.

THE BUDGET RESOLUTION

Mr. KERRY. Mr. President, last night the Budget Committee, in the wee hours, passed the budget resolution for the U.S. Senate on which we will shortly go to work. There are many, many questionable choices within that resolution. There will be a time, a very fixed time obviously, a minimum number of hours that we have to debate it here on the floor, with a finality for that debate, and it is predetermined. But I would like to just talk for a moment, if I can, about a couple of aspects of that budget as we frame the debate about where we are going in this country.

First, I would like to call the attention of my colleagues to one provision that is in this budget that this Senator finds profoundly disturbing, and that I hope other colleagues will think hard about before we ratify it in the course of the budget process.

A lot of things are being proposed in America today under the banner of deficit reduction. I think there is a unanimity here that we obviously have to reduce the deficit. We are going to be bankrupt if we do not. We cannot continue down the road that we are going on. But there also ought to be an application of common sense to the choices that we make as we do that. Reducing the deficit does not predicate that we simply come in with a machete or a pickax and chop away at things that make sense, while simultaneously leaving out there the things that do not make sense.

One of the items that has fallen under the budget committee's ideological approach to this issue is the Presidential campaign fund. For whatever reasons—I can give you the descriptions that are given, but I think the agenda is considerably different—the committee has chosen to eliminate the mechanism by which Americans for the years since Watergate have funded Presidential elections. That method is to have a checkoff on your tax form with which you decide to give money to the Presidential election fund. It is a voluntary mechanism in America. But it has been a most important mechanism by which we have freed Presidential politics from the demeaning process of requiring our candidates to raise hundreds of millions of dollars from special interests all across this country.

It has worked, Mr. President. The system has worked. President Ronald Reagan used it. President George Bush used it. I believe President Bush in the course of his career as a Vice President and as a President, used something in the order of $200 million in order to run for the highest Federal office in this land.

The majority leader, ROBERT DOLE, has used it in the past. Other Presidential candidates in this Senate have used it, Republican and Democrat alike. No one has suggested that system is wrong, corrupt, not working, or not freeing the Presidential process from the rather terrifying money chase that we in the U.S. Senate have to go through. Yet, this Budget Committee, in an effort to try to whack away at the deficit, is going to do away with this campaign financing mechanism.

Mr. President, for the life of me I don't understand why—but I understand the argument that will be made. The argument will be the soft, easy, political sloganeering arguments that, "Gee, politicians should not be getting welfare." It sounds really catchy. And the American taxpayer should not necessarily be paying. That is the argument you are going to hear. But I will bet you that four members of the Republican caucus who are running for President are prepared, in a matter of weeks, to ask for that money and will take it and will use it.

Now, it seems to me, Mr. President, if we cannot remember the lessons of Watergate and remember the degree to which this country felt a revulsion at what happened during that period of time, when stacks of cash and enormous sums of money were changing hands in an effort to try to curry favor and votes in America, if we do not remember that lesson, then we have not learned much about what was wrong with American politics in the course of the last years.

So I hope that before we just accept what the Budget Committee has done, Members will think hard about what is really good for this country in the context of political campaign finance reform. This Senate has twice passed campaign finance reform in the last years. We passed it in 1992, and the House passed it, but President Bush vetoed it. We then passed it again in 1994, but it died mostly because the House of Representatives did not want to take it up.

The bottom line, I think all colleagues will agree, is that we saw a period of scandal in America that brought reform, and it would be irrational now in the face of the extraordinary impact of money in American politics to suddenly take away our capacity to free both of our candidates, or any major party candidate, from having to go out and raise these extraordinary sums of money which most Americans have come to agree distort the American political process.

That is not the only issue raised in this budget, and we will have ample time in the days ahead to discuss it.

Mr. President, I see that the majority leader is in the Chamber. I do not know if he had an announcement or a procedure.

Mr. DOLE. Announcement. I would like to get back on the bill.

Mr. KERRY. Mr. President, let me just say to the majority leader, I had asked if there were any amendments. There were no amendments, and I allowed whatever amendments were there to be done before speaking. If there is an amendment that is ready to go forward, I am not trying to delay the process or hold up the Senate, but I thought I would call attention to this issue in the absence of that.

Mr. DOLE. I do not have any problem with that.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. If the Senator will yield.

Mr. KERRY. I would like to retain the right to the floor, but I will yield.

INTERSTATE TRANSPORTATION OF MUNICIPAL SOLID WASTE ACT

The Senate continued with the consideration of the bill.

Mr. DOLE. I have just seen a list of amendments—10, 12, 13, 14 amendments. I do not know why people are not here offering the amendments. We are going to be here today, and we are going to vote today, if we have to have Sergeant at Arms votes. People who wish to offer their amendments better come to the floor and offer their amendments. We want to finish this bill.

I do not have any problem with the Senator speaking, because, as the Senator from Massachusetts said, there is nobody here to offer an amendment. But I say to my colleagues who have amendments, if you are going to offer them, come to the floor and offer your amendments. We have two managers here who do want to do business. They were here late last night. They were here early this morning. So I hope we can accommodate Senator BAUCUS and Senator CHAFEE and others who have primary responsibility for this legislation. It is important legislation. We ought to finish it, and I hope that by 4 or 5 o'clock we will be finished with the bill.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I thank the majority leader.

LOOKING AT THE FEDERAL BUDGET

Mr. KERRY. Mr. President, I would like to say to my colleagues that the last time I looked at the Federal budget, which has been many times in the last few days, I did not notice that spending was increasing significantly in the discretionary domestic side of the budget. I did not notice that Americans were coming up to any of us and saying to us, Senator, we have too much drug treatment in America; we ought to cut it so fewer addicts can get treatment.

I did not notice that a lot of people were coming up and saying, it is already easy enough for me to send my kid to school, so why not cut the tax deduction to send our kids to college and make it harder for us to send our kids to school.

I did not notice people were suggesting that our train system is comparable to the Japanese or the Germans or the French, and therefore we ought to be reducing the investment in our railroads.

I did not notice that our colleges and universities were so fat with money that their laboratories, which are 20 and 30 years old in many cases, are state of the art and so they do not need additional Federal funding to increase the science capacity or research of America.

I could run down a long list of things that I do not think Americans are asking us to cut, but, Mr. President, we are cutting them. We are cutting them. And I respectfully suggest we are cutting out of this country the guts of our ability to be able to remain a great country and guarantee that our kids, who are increasingly growing up in a vacuum, are going to have the best education system in the world, the kind of opportunity that we have promised through these years.

We had a period of know-nothingism in America once before, and I am not sure that we are venturing close to a new period of sort of put your head in the sand and pretend—pretend that a 15-year-old kid who has an abusive parent or a drug addict parent and whose other parent is absent, pretend that that kid, who is already at risk and dropped out of school, is somehow suddenly going to be saved by cutting access to the YMCA, YWCA, the Boys and Girls Clubs, Youth Builds, the City Years, the AmeriCorps of this country.

That is what we are doing. The one part of the budget that is increasing is entitlements. It is the only part of the Federal budget that is really increasing in real dollars. And the truth is that you are not going to solve that problem just by whacking away at a fixed amount of money when more and more Americans are turning 65, more and more Americans are living longer, and more and more Americans have a right to expect that they are going to get quality medical care.

What will happen if we just lop off several hundred billion out of Medicare? Sure, we will cut out some waste. And, yes, some good entrepreneurs will respond and there will be an increase in managed care and HMO's, and so forth. But you will take the guts out of teaching hospitals. You will take the guts out of research and development. And those things that have provided the United States with the most extraordinary advanced technology and medical care in the world will suddenly begin to diminish, just like deferred maintenance on a building. Sure, we can cut the maintenance today, and we have been doing that, I might add, in many different sectors. But 5 and 10 years from now, after 10 years of cuts and deferred maintenance, the buildings begin to crumble, the bridges begin to fall down, the sewer systems fall apart, the water treatment facilities are not there.

Mr. President, we have to stop and recognize that there are three deficits in this country. There is a fiscal deficit, but there is also an investment deficit, and there is a spiritual deficit. And we are not going to address the investment deficit, which is critical to dealing with the spiritual deficit, unless we treat all three of them simultaneously. And all this budget that we will be presented does is deal with the fiscal deficit.

What do I mean when I say an investment deficit? Well, Mr. President, let me give you one example: railroads. The United States is ranked 34th in the world in our investment in our railroads. We are just behind Ecuador and Bolivia and just ahead of Bangladesh. And there are only seven countries I think with railroads that are behind us—34th in the world.

Now, I can tell you that in Boston, in New England, along most of the eastern seaboard and much of the west coast now, and in other parts of this country, rail transportation is essential to moving millions of people to their jobs, taking the burden off of our highways, and yet, we are disinvesting in those railroads, Mr. President.

France has its TGF, Japan has a bullet train. And instead of thinking about how we are going to provide millions of jobs for Americans building an adequate transportation system, we are disinvesting.

No country on this planet has a railroad system that does not have a subsidy. There is not a country in the world that does not subsidize its railroad system. And yet the House of Representatives has zeroed out—zeroed out—money for support of railroads.

Now I can give you dozens of other examples like that. Global climate change. We do not know all the answers. We know that there is a phenomenon taking place. We do not have a complete understanding of it. We need to have an understanding of it, because the consequences could be cataclysmic. And yet we are cutting that research.

The Coast Guard, the admiral in charge of the Coast Guard told me they have a $600 million capital expenditure

requirement just to keep their ships running properly to stay current with the demand—Cuba, Haiti, fishing enforcement, drug trafficking. But, Mr. President, we are not providing that money. We have cut significantly the amount that they need.

Science and research. There is not a public university in this country that is not struggling to have the capacity to be able to raise the standards of learning for our children. And yet, we are going to have a harder time than ever before in providing the wherewithal for those universities and for those entities to carry on to meet that high standard.

Mr. President, there are so many examples like this that it defies the imagination.

The last time I looked, this was a very rich country. And not only is it a very rich country, but it is a country that is increasingly seeing a huge division growing between those who have and those who do not.

From 1940 to 1950 to 1960 to 1970, Americans all grew simultaneously, at every sector of American society. If you were at the lowest quintile of earnings in America, your income grew in 10 years by 138 percent. If you were in the next two quintiles from 1940 to 1980, for 40 years, if you were in those middle two quintiles, you grew at 98, 99 percent over a 10-year period. And if you were in the top quintile, Mr. President, you grew at about 98 percent.

In the last 12 years in America, the bottom quintile went down 18 percent, the next quintile went down 4 percent, and the top quintile went up 105 percent.

Now, while income has become tougher and tougher for the average American to earn, they have been witnessing the phenomenon of globalization and technology, where more and more the labor of human hands and hearts is not applied to work. You have automation, robotics, artificial intelligence, and technology advancements which are what provide most of the productivity increases of this country.

It is very clear that America is not going to compete, by and large, except for niches here and there with low-wage, low-scale jobs. Increasingly, Americans are being forced into low-wage, low-scale service sector jobs. And we are not increasing the manufacturing base of this country in a way that creates the high value-added jobs that allows an American to earn more money and be able to move up the ladder.

That, Mr. President, accounts for most of the anger that we feel in America today; that, coupled with the accompanying disintegration of families and communities.

Now that gets you to the spiritual deficit.

Mr. President, in 1965, our colleague, PAT MOYNIHAN, warned us about what happens in America when children are having children out of wedlock—children born into a single-person family. In 1965, Senator MOYNIHAN told us of a 27-percent-out-of-wedlock birth rate in the inner city. He was accused of being a racist. Most of America put its head in the sand and did not pay much attention.

Today that 27 percent is 80 percent. Thirty-six percent of all American children are born out of wedlock.

And I ask my colleagues how they think they are going to deal with a 15- or 16-year-old kid who has already dropped out of high school, who does not relate to their home, who has no organized religion, who does not have in his or her life any of the normal ingredients of teaching values—family, church, synagogue, school—how are you going to reach that 15-year-old in order to prevent that 15-year-old from becoming the next inhabitant of a $50,000-a-year jail cell?

I am not proposing to my colleagues that Government ought to do it or that Government is the solution. But I do know that Government can make a difference in helping to create a framework which will allow those kids to have a shot. And that framework can be the support that we give to nonprofit entities, the support that we give to a boys club, a girls club, support we give to the Youth Builds, the AmeriCorps and other efforts that try to intervene where there has been such a total failure otherwise.

As I listen to my colleagues in the House and elsewhere, they say, "Well, it is the family's responsibility. Cut it off and people are going to have to take care of themselves."

The problem is, Mr. President, that this country already has a track record of doing that. In the 1920's, 1930's, 1860's, 1870's and 1880's, we saw what happened when everybody was left to their own devices. That is when we had sweatshops. That is when we had slums and squalor. That is when we had no ability to cure half of these things.

The truth is, Mr. President, that over the course of the last years, in the last 40 years, particularly, in America, we have learned that some of these interventions truly make a difference in the lives of our communities and of our kids.

I respectfully suggest that the U.S. Senate, the House, the Congress, the country, are on their way to creating a clash unlike any we have ever known before in this country.

The summer job money has been cut. Let me ask you: What are those kids going to do this summer in the heat of New York City or Los Angeles or Detroit or Chicago or Boston when they have no job? The Government said, "We don't care. We're taking the money away. Go fend for yourself."

But we all know that the economy, historically, carries 6 percent unemployment or more. So even though we, the leadership, know that America is going to have at least 6 percent of its country unemployed, are we still going to say, "Go take care of yourself," and cut them off? What are they going to do?

So I think, Mr. President, we are heading for a cropper. I remember the 1960's, when I came back from Vietnam. I can remember people out in the streets with guns. I remember cars being overturned. I remember bombs. I remember firestorms of automobiles burning. I respectfully suggest that we better stop and think carefully about the consequences of the steps we take and the choices we make.

Those children that PAT MOYNIHAN talked about in 1965 turned 15 and 16 in 1980. All you have to do is go and look at the increase of juvenile violence in America in 1980, and you can begin to project what those children born today in the 80-percent category are going to do in the year 2010 when they turn 15 and 16.

The increase of murder among juveniles is up 250, 260 percent. There were 29,000 juveniles murdered in America in the last 10 years, and 4,000 juveniles are currently under arrest charged with murder. The highest level of murders in America today are juveniles between the ages of 14 and 25 who are murdering other juveniles between the ages of 14 and 25.

I absolutely guarantee you, it is inescapable, unavoidable, incontrovertible that if you have a kid born today in a country that is providing less work, in a country where information and education are more important to your ability to work than ever before, in a country where it will be harder for these kids to get that education, not easier, there is an absolute predictability to what those kids will be like 15 and 16 years from today.

Mr. President, I used to prosecute some of those kids. I used to be a prosecutor, and I talked to some of them back then. It was OK, you could have a conversation and you could learn something about what they felt and about their anger. In the last 2 years, I have spent time going to some of the at-risk programs that we are now running, which are the last link between these kids and total loss. I have never, ever in my life heard such a level of anger that is without explanation. They cannot explain it to you. They do not know where it is coming from. But you can hear those kids talk about being runaways in Florida or New York, about how they left their families at age 10, 11, 12.

Mr. President, do you know that the median age of handgun ownership, or gun ownership, in America today, the median age of first-time gun ownership is 12½ years old?

So as we think about the budget choices that we are going to face over

the course of this next 1½ or 2 weeks, it is my prayer that we are not going to put our heads in the sand and ignore the other two deficits this country faces: The investment deficit and the spiritual deficit.

In the end, I have no question that Government is not even the right entity to deal with the spiritual or attempt to. But Government needs to understand the connection with those entities that should be doing it, or can be doing it, and their capacity to do it, in the world that we are creating.

Government needs to be an empowerer of the local community to reach these children. For example, in Brockton, MA, there is a Boys and Girls Club, but only 10 percent of the kids in that community get access to that club. Simple question: What happens to the other 90 percent of those kids? They are out on the streets, nobody is there, there is no connection.

That is our responsibility, it seems to me, to try to empower the communities to be able to help create the civic reaction that will begin to deal with these children. And the ultimate response will come from churches and synagogues, spiritual organizations, nonprofit agencies, schools, and parents, but you have to have a place to begin. You have to start somewhere. It seems to me, that if you have a kid sitting in front of you who is 12 or 13 years old and they are already dabbling in drugs, and they are already in trouble at home, and they are already disconnected to the school, we have a fundamental choice: Are we going to turn our back on that kid and cut that kid off, or are we going to try to channel that child toward some group or organization that will bring the child in, embrace the child with a notion that the child has a stake in the community and the community cares? I think this budget is draconian with respect to those efforts. I am not sure how in the next days, given the choices we have, we are going to fix it.

Mr. President, none of what I am saying should be interpreted to mask over the deficit that we do face on the fiscal side. I am prepared to make tough choices about cuts that we ought to make and even reordering priorities to try to balance the budget, which I think we ought to do. But nobody has ever convinced me of why we absolutely have to do that in 6 years versus 8 or versus 10 years. Nobody has convinced me that there is some economic virtue in picking a target date that is so arbitrary that may wind up cutting capacity to meet other needs that we have.

One other point, Mr. President. Increasingly in America, we are seeing the cash economy of this country grow. It is now, I am told, about a $600 billion economy. That means that we are losing annually about $100 billion of revenue because people just choose not to pay taxes. In fact, as a nation, we have gone from voluntary compliance in our income tax of 96 percent down to 81 percent. Each loss of a point of voluntary compliance is the loss of $5 billion of revenue. So your good taxpaying, hard-working family that is earning $25,000, $30,000 a year and paying their taxes is slugging it out to make ends meet, to pay for fire, police, schools, roads, everything we do, while an increasing number of American citizens are getting away with not paying their taxes.

We have a choice. I read in the newspaper the other day that we are going to have a new thing called a lifestyle audit, and people in America are now going to be able to anticipate the IRS jumping into their driveways and asking them why there is a certain kind of car in their driveway, how they manage to go ski somewhere, what their vacation style is, why they eat at certain restaurants, and that is the way we are going to supposedly enforce the Tax Code. I do not think Americans are going to tolerate an IRS gestapo-like entity of people intrusively moving into their lives.

So, Mr. President, if we are really going to make this system work and recapture that cash economy, we have to talk about changing the tax structure of this country and moving away from a dependency on income and into consumption where it is the only place that you can begin to shift to a reflection of what the cash transaction is while simultaneously, I think, increasing people's savings and moving in a new direction.

Mr. President, I see that the manager of the bill is on his feet. If he has an amendment, I am prepared to conclude.

Mr. CHAFEE. Yes, Mr. President, we have a couple of amendments we would like to have accepted, then the Senator is free to continue.

Mr. KERRY. Mr. President, what I would like to do—the Senator from Wisconsin has been waiting patiently. I talked longer than I told him I intended to—I will just conclude my comments. I will have more to say on this in the course of the next weeks. But I believe we are at a crossroads, and I think that the choices that I have outlined are only a few of the choices. But we cannot look at the needs of this country exclusively in terms of an arbitrary approach to the deficit reduction. We have to look at the other two deficits that the Nation faces.

There is such a thing as investment, and there is such a thing as a return on investment, and there is such a thing as multiples of return on investment. I think that most people in the Senate understand that. The question is whether or not we are going to make those wise judgments.

I thank my colleague from Wisconsin for his patience, and I thank the distinguished managers for their courtesy. I yield the floor.

INTERSTATE TRANSPORTATION OF MUNICIPAL SOLID WASTE ACT

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 1072

(Purpose: To require the Administrator of the Environmental Protection Agency to conduct a study to determine the quantity of hazardous waste that is being transported across State lines and the ultimate disposition of the transported waste)

Mr. CHAFEE. Mr. President, I send an amendment to the desk on behalf of Senator BREAUX and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Rhode Island [Mr. CHAFEE], for Mr. BREAUX, proposes an amendment numbered 1072.

Mr. CHAFEE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, insert the following:

SEC. . STUDY OF INTERSTATE HAZARDOUS WASTE TRANSPORT.

(a) DEFINITION OF HAZARDOUS WASTE.—In this section, the term "hazardous waste" has the meaning provided in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903).

(b) STUDY.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall conduct a study, and report to Congress on the results of the study, to determine—

(1) the quantity of hazardous waste that is being transported across State lines; and

(2) the ultimate disposition of the transported waste.

Mr. BAUCUS. Mr. President, we have examined the amendment and find it acceptable.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 1072) was agreed to.

Mr. CHAFEE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1073

(Purpose: To require the Administrator of the Environmental Protection Agency to conduct a study to determine the quantity of sludge (including sewage sludge) that is being transported across State lines and the ultimate disposition of the transported sludge)

Mr. CHAFEE. Mr. President, I send an amendment to the desk on behalf of Senator BREAUX and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. CHAFEE], for Mr. BREAUX, proposes an amendment numbered 1073.

Mr. CHAFEE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, insert the following:

SEC. . STUDY OF INTERSTATE SLUDGE TRANSPORT.

(a) DEFINITIONS.—In this section:

(1) SEWAGE SLUDGE.—The term "sewage sludge"—

(A) means solid, semisolid, or liquid residue generated during the treatment of domestic sewage in a treatment works; and

(B) includes—

(i) domestic septage;

(ii) scum or a solid removed in a primary, secondary, or advanced wastewater treatment process; and

(iii) material derived from sewage sludge (as otherwise defined in this paragraph); but

(C) does not include—

(i) ash generated during the firing of sewage sludge (as otherwise defined in this paragraph) in a sewage sludge incinerator; or

(ii) grit or screenings generated during preliminary treatment of domestic sewage in a treatment works.

(2) SLUDGE.—The term "sludge" has the meaning provided in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903).

(b) STUDY.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall conduct a study, and report to Congress on the results of the study, to determine—

(1) the quantity of sludge (including sewage sludge) that is being transported across State lines; and

(2) the ultimate disposition of the transported sludge.

Mr. BAUCUS. Mr. President, this amendment also is acceptable.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 1073) was agreed to.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET RESOLUTION AND MEDICARE

Mr. FEINGOLD. Mr. President, I appreciate the comments of the junior Senator from Massachusetts with regard to the question of including the Presidential checkoff for campaigns in the budget resolution. It is an important program for our elections being free and fair in this country, and it does not belong in the budget resolution. I intend to comment on that more as we get into the budget resolution itself. I am grateful to the junior Senator from Massachusetts for those remarks and for his constant dedication to try to do something about this really awful system of financing campaigns that we have in this country.

Mr. President, I rise at this time to offer a few comments on the debate that really does belong as part of the budget resolution, and that is the debate that has been taking place about Medicare. I would like to share my own perspective on the direction we ought to pursue.

As we consider the budget resolution, presumably starting next week, this will be one of the two or three most central issues that we debate. As the Senator from Nebraska [Mr. KERREY] noted on the floor last week, the Medicare debate has been obviously politicized in quick order. That should not surprise us given the nature of the program and especially how it is viewed by millions of Americans. It is a valued program. The presence of the White House Conference on Aging last week certainly had an impact on what was said, and said by Members of both parties.

Mr. President, the White House conference also gave me an opportunity—a great opportunity—to talk to many of the leading aging activists from Wisconsin on the issue. I found their thoughts interesting. I think Wisconsin has one of the best groups of advocates for sound and compassionate policies for the elderly in the country. They always give the straight view. They tell me not only what is good for the elderly but what is good for society as a whole, including their children and grandchildren.

In a meeting I had with most of the Wisconsin delegates to the White House Conference on Aging, there was a clear consensus that some changes do need to be made to Medicare. But there was also agreement, Mr. President, that those changes to Medicare have to be done in a certain way. We need to "cut smart," not "cut mean," as we look to keep the Medicare hospital insurance fund solvent and reduce the pressure on the Federal deficit.

It bears emphasizing that there are these two features with respect to the Medicare problem—both the solvency of Medicare and the impact of Medicare on the Federal budget deficit.

As every Medicare beneficiary knows, there are two parts to Medicare called part A and part B. Part A is what is formally known as hospital insurance. It pays some of the costs of hospitalization, certain related inpatient care, as well as skilled nursing facility care and home health care. I should add—and I have always been somewhat distressed by this—it does not cover chronic or long-term care in that part of the program. Other than copayments and deductibles, part A services are paid from the hospital insurance trust fund, which itself is funded from payroll taxes.

Mr. President, it is this hospital insurance trust fund that is in jeopardy, and it is expected to be insolvent by the year 2002. The other part of the program, part B, is the supplementary medical insurance program that covers doctors' fees, most outpatient, and some other related services. Part B is partially funded by the monthly premiums that beneficiaries pay, but most of the part B program is funded from the Federal budget.

Mr. President, some are characterizing the cuts they expect to propose to Medicare as being needed to keep Medicare solvent. That portrayal is entirely misleading, as, of course, it is meant to be; for though some changes are needed to keep the hospital insurance fund solvent, that trust fund is not the whole story. Medicare is also slated for cuts as part of the broader effort to reduce the deficit, possibly leading to a balanced budget.

So let us be clear within this body and to all Americans, the goal here of those who want to cut Medicare drastically is not just to make the fund solvent, they want to use a lot of those billions of dollars to deal with our national deficit problem.

Mr. President, I make this point because I fear that the political spin doctors who have chosen to depict Medicare cuts as being apart and separate from the rest of the budget are really doing a great disservice to the cause of deficit reduction itself. And there is no other issue I care more about or work harder on than reducing the Federal deficit.

In an effort to minimize the political fallout that surely will come from cuts to Medicare, I fear they may undermine any chance for a real budget package that will achieve the consensus it must have if we are going to make the politically tough decisions needed to actually balance the Federal budget.

Mr. President, my message is that we have to be honest with the American people on what is really going on with Medicare. Medicare clearly does have an impact on the budget. Part of the reason cuts are being proposed in that area does stem from our Federal budget deficit, and rightly so. Medicare does have to be on the table as we look at the budget. I will say, Mr. President, Medicare is not Social Security. It has to be considered along with other areas of Federal spending. In fact, I have sponsored legislation that has included some specific, targeted Medicare cuts.

Medicare cuts were part of the 82-point plan to reduce the Federal deficit that I used and created during my campaign for the U.S. Senate in 1992.

More importantly, I have voted for legislation that contained significant,

but specific, targeted cuts to Medicare twice during the 103d Congress. The reconciliation legislation we passed as part of the President's deficit-reduction package included nearly $60 billion in Medicare cuts. This is not some new idea. It is not as if Medicare has not already, in effect, given at the office. It has already been hit to the tune of $60 billion just 2 years ago.

Mr. President, I also voted for, and was pleased to be a cosponsor of, the bipartisan Kerrey-Brown deficit reduction package. It also included significant, specific Medicare cuts on top of the $60 billion that was included in the President's deficit reduction package.

Yes, Mr. President, I am willing again to vote for certain Medicare cuts if they are appropriate and do not cut at the heart of the health care of the people who need Medicare.

But while Medicare needs to be on the table as we search for ways to reduce the deficit, we have to ensure that any changes make sense both within the context of the Medicare program itself and in the broader context of our entire Federal budget. For just as Medicare clearly has an impact on the Federal deficit, Medicare beneficiaries and Medicare providers should not be asked to fund other political or policy priorities apart from the goal of reducing the Federal deficit.

So I am concerned, Mr. President, that those who argue the loudest for a balanced budget tend to be the people who are the first to demand massive tax cuts and not decreases but increases in Federal spending. I do not think the use of Medicare cuts to do those two things is appropriate in the context of this budget resolution.

Mr. President, I want to be one of the people on this floor to say that neither political party is blameless in this regard. Both Republicans and Democrats have argued for increased defense spending and for tax cuts at the same time they are out here promising a balanced budget and saying that their top priority is a balanced budget amendment.

We cannot argue that changes to Medicare are needed to lower the deficit and then devote our very scarce resources to tax cuts and defense increases.

Again, Mr. President, I am willing to support certain further cuts to Medicare to bring the Medicare trust fund into balance, and even, where appropriate, to help reduce the Federal budget deficit.

That is not something I would say about Social Security. I will say it about Medicare. I am not willing to support cuts to Medicare, however, to fund an irresponsible tax cut and increase our bloated defense budget.

Looking to the Medicare Program for cuts will be hard enough. It would be far better to be making changes to Medicare as part of comprehensive health care reform. In my view, Mr. President, that would be my first choice as the health care reform debate illustrated powerfully last year.

The cost-shifting takes place because of Medicare, and Medicare mushrooms health care costs. Making changes to Medicare unilaterally as we apparently will do in this budget this year, outside of comprehensive reforms to the entire health care system, I am afraid invites even more of the cost-shifting.

I am afraid, though, Mr. President, to be realistic, there is no sign that comprehensive health care reform will be before the Senate in the 104th Congress. That complicates the job of finding savings in Medicare and limits what to expect in the way of potential savings.

Nevertheless, Mr. President, I want to say today and be specific that there are changes in Medicare that can and should be made. For example, we could consider making some changes to the Medicare home health care benefit.

For example, I am willing to consider requiring a modest copayment on those home health services as long as adequate provision is made for those with lower incomes. Proposals I have seen for 20 percent copayment may be too high. Maybe they are looking at a 5-or-10-percent copayment, making sure that those who cannot afford it are taken care of. It could at least be on the table.

Moreover, Mr. President—again to be specific, not just talking in the abstract about Medicare cuts—let me acknowledge that some have suggested that we might move to have a prospective payment system for home health care providers under which Medicare would reimburse services on a per episode basis. Some say that would not harm people and would be more efficient and save money. Given the dramatic rise in the number of visits per person served on the Medicare home health benefit in recent years, such a change might make sense. It certainly is something we should examine.

Mr. President, I want to also remind my colleagues that a great deal of the increase in the utilization we see in the Medicare home health care benefit has been the direct result of previous policy changes to Medicare that were also supposed to create savings. It did not work that way, in part, because of changes to Medicare patients who are being discharged from hospitals quicker and sicker than they used to be. In many cases, Medicare policies have just moved the site of care from the hospital to the home, with the resulting increase in home health care benefit utilization.

I am pleased that much of the care can be given in the home, but we have to be realistic about the cause and effect resulting from Medicare changes. It should serve as a caution to all as we seek to find savings in Medicare, we should not just make a cut here and find out we are paying the same or more through Medicare at another location. That does not accomplish anything either for Medicare, the people who benefit from it, or for the goal of reducing the Federal deficit.

Mr. President, in other areas there may again be more room for modifications, to the way, for example, we make payments to hospitals for capital-related costs of inpatient service. Some have argued that those capital-related rates reflect erroneous inflation forecasts, and adjustments ought to be made to account for the errors.

This sounds like the kind of specific cut in Medicare that does not go to the heart of Medicare, does not harm the individual's ability to get the care they need, but the inefficiency and excesses of the way the system is set up. These should be at the top of our list, not at the bottom.

During last year's health care reform debate, this kind of modification was considered. I think it deserves review again.

Mr. President, one change that must be a high priority also, is to ask wealthier beneficiaries to shoulder more of the cost of part B services, relieving taxpayers of some of the subsidy they are now providing, which amounts to about 75 percent of the full value of the Medicare part B premium.

I proposed that in 1992 as part of my deficit reduction proposal, and I recall the comments made by the majority leader that those with higher incomes ought to be asked to pay a little more for part B services. So that should be on the table.

We should also consider making changes to eliminate so-called formula-driven overpayments for hospital outpatient services. The Medicare part B copayment of 20 percent is intended to lower the cost of Medicare to taxpayers on a dollar-for-dollar basis. For every dollar of copayment made by a beneficiary, Medicare's own liability is supposed to drop by $1. It is my understanding there are anomalies in the Medicare reimbursement formula for certain outpatient hospital service. The result, Mr. President, is that the liability to Medicare is just greater than it should be.

So we are talking here about real ways to save dollars to achieve our deficit reduction goals without scaring the people in this country who need the basic Medicare services, like the possible changes to inpatient capital-related payment rates. This matter was debated during the health care reform debate last session. We did not get it done. We did not get these cuts implemented. We could be getting the benefit and savings of those today if we had acted then instead of waiting until now.

Some suggested we change the formula-driven overpayments. Again, I

want the specific ideas on the table for the people of this Congress and for the whole country to examine.

Mr. President, I am willing to consider proposals that provide incentives to seniors to select managed care alternatives. There are other changes that I would certainly be willing to consider.

Mr. President, I do want to say a few other things about changes that do not make sense. Some we should not be doing. For example, shifting Medicare costs on the backs of those with very low income not only unfairly burdens those least able to bear additional costs, but, again, to the extent it swells Medicaid costs, all it will do is transfer the tax burden from the Federal taxpayers to the State taxpayers.

Of course, that is a convenient result for our Federal budget writers, but not an improvement for the taxpayers back home in Wisconsin or Minnesota.

Mr. President, I mentioned the Kerrey-Brown package as legislation which I supported and which also contains specific and significant Medicare cuts. As I have noted before on this floor, the process, Mr. President, the process by which Senator KERREY of Nebraska and Senator BROWN of Colorado and others put together this package was, to me, a model of bipartisan cooperation.

We did not hear much about it during the 1994 campaign. People assumed that everything that happens out here is partisan. But that is not what I have found. There are people in this body who do want to get together on a bipartisan basis to solve the deficit problem. They have done it. They have put a lot of time into it. They are willing to do it again.

For my part, I came away from that process greatly encouraged that there were Senators on both sides of the aisle who were willing to band together to find some common ground in reducing the deficit, even if it meant bucking the partisan political rhetoric of their respective parties.

Mr. President, I believe that in this 104th Congress we can achieve that kind of bipartisanship again, and I want to signal today as we move into next week of the budget resolution, that I am not only ready but very eager to participate in that bipartisan effort. I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GRAMS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent to be allowed to go forward as though in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING A COURAGEOUS YOUNG GIRL, AND CARING COMMUNITY

Mr. KEMPTHORNE. Mr. President, I would like to spend just a moment talking about a courageous young girl in my hometown of Boise, ID.

Nine-year-old Susie Hamilton, a bright, vivacious, and loving girl suffers from a rare and deadly form of leukemia. She has been in and out of hospitals in Boise, Salt Lake City, and Seattle for the past 8 months. A bone marrow transplant is her last hope for life.

Mr. President, Susie is blessed with two outstanding parents who are leaders in the community. Her father, Steve, is a Boise Fire Department battalion chief, dedicated to saving lives. I have worked with him personally on a variety of projects. Her mother, Becky, works at Boise Cascade Corp. Both have spent many long hours away from their jobs to tend to Susie's needs.

There have been some rough times for Susie, Steve, and Becky. I would like to read from a newspaper column by Tim Woodward in the Idaho Statesman, who wrote about this family:

Leukemia alone is bad enough, but there were other heartbreaks. When a match was found for a donor after hundreds of tests, the donor turned out to have hepatitis. Susie got it through a transfusion. Last month, she had to have a lung removed. When a doctor praised her courage, she whispered, "What choice, do I have? I want to live."

The community has responded, raising over $12,000 to offset medical bills. Today there is a silent auction at Susie's school to raise money. Boise firefighters have switched shifts so Steve can spend time with Susie. Boise Cascade has given Becky as much time off as she needs, and has even given the family use of the corporate jet to fly to Seattle.

This ribbon I am wearing, Mr. President, is just one more sign of the community's willingness to rally around their neighbor. Members of the police and fire departments, sheriff's department, workers at Boise Cascade, Susie's classmates and teachers, employees at city hall, and others in Boise are wearing these ribbons to show their support for the family.

I would like to read this letter I just received from Susie's grandmother, Barbara Dennett:

My Granddaughter, Susie, was diagnosed with adult leukemia in October of 1994 and since then has endured prolonged hospitalization for chemotherapy and several surgery's in Salt Lake. Susie is now in Seattle undergoing preparations for a bone-marrow transplant. This is her only chance to overcome the leukemia—her only hope for survival.

After searching for 8 months for a bone marrow match, isn't it ironic that on this 50th anniversary of World War II's death and horror, a German soldier will be the donor to save the life of a little 9 year old girl in America. I believe this to be a noteworthy occasion.

This soldier was scheduled to go out on maneuvers, which would delay the bone marrow transplant 15 more days, but chose to make himself available for the draw instead stating he did not wish for her to suffer a minute longer than necessary. His bone marrow will be hand delivered from Germany to Seattle. Hand carried, the transplant will begin the minute it arrives.

Thank you for your time and consideration in seeing that President Clinton receives this information. When I told Susie, that every one was praying for her all over the world, she ask "even the President of the United States?" How could I answer with anything other than "yes, even the President". A card or call from him would go a long way in helping her believe that we are all telling her the truth when we say that there is always hope that she will be well again and a bright future lies ahead.

Mr. President, I ask unanimous consent to enter this letter into the RECORD. I also ask unanimous consent that the newspaper article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SPECIAL 9-YEAR-OLD TOUCHES A CITY'S HEART

(By Tim Woodward)

If you've seen a Boise firefighter lately, you may have noticed he was wearing a purple ribbon on his uniform.

They're wearing purple at City Hall, too. The mayor, city council members and other office workers all have purple ribbons pinned to their clothing.

Purple ribbons dot lapels at the Boise Cascade Corp., the Ada County Sheriff's Department, Life Care Center, hospitals, doctors' offices, Highlands School.

The ribbons are symbols of support for a kid who has had more bad luck than any 9-year-old deserves. Susie Hamilton has a rare and deadly form of leukemia. She has been out of hospitals nine days in the past eight months. A bone marrow transplant is her last hope for life.

Steve Hamilton, Susie's father, is a battalion chief with the Boise Fire Department. Hamilton has dedicated his life to saving lives. Now his fellow firefighters are helping him in the fight to save his daughter's life.

When Susie got sick, the firefighters donated shifts so her father could be with her. When she needed a marrow donor, the firefighters raised $4,000 and added 527 names to the donor registry.

Susie's mother, Becky Hamilton, works at Boise Cascade. The company not only extended her leave time, it flew the family to Seattle in a corporate jet when Susie needed to see a specialist there.

On May 12, the fire department, Boise Cascade employees, the sheriff's department, Highlands School and civic groups will sponsor a silent auction to raise money for medical expenses. Businesses have donated raft trips, airplane rides, bicycles and other prizes. The auction will be at Highlands, Susie's school.

"Everywhere we go, whether it's the hospital in Salt Lake or the one in Seattle, the people we work with are just amazed at the support network we have in Boise," Steve Hamilton said. "They say it's unheard of in

this day and age to have that kind of community involvement."

So far, Boiseans have donated more than $12,000 to the Susie Hamilton Leukemia Account (200 N. 4th St, Boise, ID 83702). Velma Morrison dropped by last week with a check for $2,500.

One of Susie's grandmothers helped her write a children's book. "Lillie the Laughing Giraffe Loses Her Spots and That's No Laughing Matter" will go on sale May 12. Boise's Legendary Publishing Co. donated its services. All of the proceeds will be used for Susie's medical expenses.

"Boise is known as the City of Trees, but to me it's the city of love," Susie said. ". . . I've learned a lot about love and friendship and caring since I got sick. I want to thank everyone who has helped me—my friends, my family and people I'll never get a chance to meet."

Leukemia alone is bad enough, but there were other heartbreaks. When a match was found for a donor after hundreds of tests, the donor turned out to have hepatitis. Susie got it through a transfusion.

Last month, she had to have a lung removed. When a doctor praised her courage, she whispered, "What choice do I have? I want to live."

The search for a donor was worldwide. The winner: a soldier in the German army. The transplant will be May 10, in Seattle.

Hundreds of people will be thinking about a brave little girl that day.

They'll be saying prayers, wearing purple ribbons, hoping a miracle will save a life that has touched a city's heart.

Mr. KEMPTHORNE. I have good news today, Mr. President. Susie Hamilton underwent 15 hours of surgery yesterday at the Fred Hutchinson Cancer Center in Seattle, receiving the bone marrow from that German soldier. I am pleased to say early reports are positive, and the prognosis is good.

Mr. President, I will be sending a ribbon just like this to the White House today so that President Clinton can affirm to Susie through correspondence that everyone is praying for her speedy and thorough recovery so that we can all affirm that there is always hope where there is prayer, and that truly people all over the world are praying for Susie, and to acknowledge the support of the community of Boise and all of Susie's friends as they rally around a neighbor, which I think is the spirit that does bring about not only hope but the positive results that we want.

Mr. President, I thank you. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the role.

The assistant legislative clerk proceeded to call the roll.

Mr. DEWINE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DEWINE. Mr. President, I further ask unanimous consent that I might proceed now as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

VICTIMS' RIGHTS

Mr. DEWINE. Mr. President, today, I want to continue my discussion on the crime bill that I intend to introduce in the Senate next week.

As I have pointed out in previous speeches on this issue, there are really two fundamental issues that we always need to address when we look at the question of a crime bill, when we look at whether it is a good crime bill or whether it is not, when we look at whether it gets the job done or not. The first question is: What is the proper role of the Federal Government in fighting crime in this country, understanding that 90 to 95 percent of all criminal prosecution is not done at the Federal level, but rather done at the local level, the State level, the county level? What is the role of the Federal Government?

The second question we always have to ask is, despite all the rhetoric: What really works in the area of law enforcement? What really matters? And, conversely, what does not matter?

On Wednesday of this week, I discussed these issues with specific reference to crimefighting technology. The conclusion I reached was that we have an outstanding technological base in this country that will do a great deal to help us catch criminals.

Mr. President, technology does, in fact, matter.

However, we do need the Federal Government to be more proactive in this area, more proactive in getting the States on line with this technology and giving the States the assets they need to get that job done.

Having a terrific national criminal records system or huge DNA data base for convicted sex offenders in Washington, DC, is great—but it will not do much good for the police officer in Lucas County, Hamilton County, and Franklin County, OH, or if other jurisdictions across this country cannot tap into it, cannot get the information out or, conversely, cannot put the information in.

Mr. President, crime occurs locally. So we have to make sure the crimefighting resources—such as high-tech data bases—are, in fact, available to local law enforcement. And one of the principal provisions of the bill that I will introduce next week does just that, drives that home to the thousands, tens of thousands of local law enforcement agencies scattered throughout our 50 States.

Mr. President, on Thursday of this week, I discussed a second issue—what we have to do to get armed career criminals off our streets. At that time, I talked specifically about a program called Project Triggerlock that targeted gun criminals for Federal prosecution.

Mr. President, Project Triggerlock worked. It got 15,000—15,000—armed career criminals off the streets in just 18 months. But, incredibly, the Clinton administration abolished this program. My legislation, Mr. President, would bring back Project Triggerlock, and toughen the laws on gun crimes in many other significant ways. It is clear, if we are going to be tough on crime and do things that really matter, we have to get armed career criminals off our streets.

Today, I would like to turn to a third provision of my crime bill, a third issue, and it is an issue that is near and dear to my heart as a former county prosecuting attorney, and that is the people that we many times forget in our criminal justice system, the victims of crime.

Today, I would like to talk about that component of my crime legislation. I would like to discuss some of the measures I think we ought to take in the area of victims' rights.

The late Hubert Humphrey said, in a much admired and much quoted comment:

> The moral test of Government is how that Government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life, the sick, the needy, and the handicapped.

What the former Vice President and former U.S. Senator said, what he was talking about was the fundamental role of Government to protect the weak, to protect those citizens who could not protect themselves. That is why, I submit, Mr. President, I think victims of crime belong on that list, as well.

For too long, victims have been forgotten by our judicial system. From start to finish, the legal system can be a terrible ordeal for the victims—a bureaucratic nightmare that seems to and, in fact, does many times, go on and on and on.

In our Constitution, we have all kinds of protections for the rights of defendants, as well we should. We try to make sure that they have every possible chance—and that is good—because we do not know if the defendants are guilty. We want to know if they have justice. That is why we bend over backward to be fair to anyone accused of crime.

Mr. President, in the process, I believe that many times we have forgotten the victims of crime.

Over the last few decades, we have made some progress in this area. We have made some progress in recognizing the rights of victims. When I was a county prosecutor in the 1970's, I saw too many crime victims, people who had already been hurt, hurt a second time by a callous legal system. That is why I did everything that I could to protect the rights of those victims.

Today, the legal process, in spite of changes, in spite of reforms, in spite of progress that we have made, is still too brutal on the victims. Our bottom line

has to be this: To be victimized once by a crime is already once too often. To be victimized yet again by an uncaring judicial system is totally, totally unacceptable.

There are some measures we should take as part of this year's crime legislation to continue the process of making the legal system treat crime victims with greater fairness and with greater consideration. Let me talk about a few of these.

No. 1, let us make sure that crime does not pay. Today, a Federal trial court may—may—order restitution for crimes. I think that in every case they should order restitution for crimes. I think we should mandate full restitution in all Federal criminal cases.

No. 2, let us stop the brutalization of victims in our courts. Under current law, lawyers are not allowed to present evidence that they know is false. That is a basic tenet of judicial ethics for lawyers. Every law student learns that early on. But what defense lawyers can do under our current system is this: If they have a crime victim on the stand, a crime victim whom they know is telling the truth, defense lawyers are still allowed to make it look like that witness is lying. Defense lawyers can do this even though they know the witness is telling the truth. My legislation would prohibit this practice.

No. 3, let us make the trial process more fair to the victims. Under the Constitution, a defendant has the right, if he so chooses, not to testify in his own defense. This is a very important constitutional right. It is imperative that we always protect this. This right has a consequence, a consequence that is both unintended and, I submit, undesirable.

There are cases in which the defense team decides not to put the defendant on the stand, which is fine, and then, though, attacks the victim's character and the victim when that victim, himself or herself, takes the stand and testifies. In effect, the defense lawyers put the victim on trial while at the same time being able to shield the defendant from questions about that defendant's own character.

I think it is time to end the free ride for these defendants. Let us simply say to the defendants and let us say to the defendants' lawyers this: If you, the accused or a lawyer, want to attack the character of a victim, then you can expect the prosecutor to call your character into question. It is only fair. It is only right. It is only just.

No. 4, let us make people who are accused of sexual assault be tested for HIV. If you, or one of your loved ones, was the victim of a sexual assault today, it is very difficult to find out if the attacker has HIV, and in today's society, is that not something that the victim should know? Is that not something that the court system should help the victim to determine?

Last year, the Senate version of the crime bill did have a provision mandating HIV testing of persons arrested for sexual assault. The Clinton administration supported this provision. But in the other body, for some reason, it was dropped.

My legislation would change that. My legislation would put that back in. My legislation would force the HIV testing of these defendants and the disclosure of the testing results to the victims of crime.

No. 5, a fifth way to make our system more fair and more just to the victims of crime, let us make the jury, the whole jury system, a level playing field. The O.J. Simpson trial has focused America's attention on the process of the selection of a jury. How do we make sure that the jury is a fair panel?

Mr. President, under today's Federal laws, prosecutors can challenge six potential jurors without giving cause, what in the courtroom they call "cause." Six jurors can be knocked off without giving any reason. Defense lawyers, however, can challenge 10 without giving a reason. These are called generally peremptory challenges where each side can excuse a juror without giving a reason.

I think that we should give victims an impartial trial, jury, and a fair shake. To do that, I think we need to give both the prosecution and the defense simply the same number of peremptory challenges. It only seems right, and it only seems fair.

Mr. President, all the provisions I have discussed today to protect victims have a common theme. In our judicial system, we cannot condone the revictimization of crime victims. Our system is and must be impartial. It must be impartial between the prosecution and the defense, all the while recognizing the presumption of innocence on behalf of the defendant.

There is no reason that the presumption of the defendant's innocence should be construed in such a way that it condones heartless treatment of crime victims. The criminal law embodies some of the truly fundamental values of our society. One of these values is that we should console those who have been hurt. We should not victimize them further.

A number of years ago when I was a county prosecuting attorney, I would see the victims of murder and other violent crimes. I would interview people who had been abused, assaulted, and raped. I learned a lot from talking to these innocent people. I learned that we have to make the crime victim a full participant, not a forgotten person, in the criminal justice system.

The proposals I have just outlined would help us make some progress in turning the criminal justice system into a more victim-friendly enterprise. It is long past time that we stop treating the victims like they are criminals and the criminals like they are victims.

My legislation is an attempt to move the concerns of crime victims toward center stage in our Federal criminal justice policy.

Next week, I will continue my series of speeches on the crime bill that I intend to introduce next week. On Monday, I will explain what I think we ought to do to get more police officers on the streets, particularly to get more police officers on the streets where the crime is the highest, because if there is one thing that we know, it is this: Law enforcement officers who are well trained and who are deployed correctly on our streets will, in fact, reduce crime. That is a fact. That is the truth. I will talk more about this next week.

Mr. President, I yield the floor.

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

MORATORIUM ON REGULATIONS

Mr. CHAFEE. Mr. President, in March of this year, just 2 months ago, this Senate considered a bill that would have imposed an across-the-board moratorium on the issuance of new major regulations. That across-the-board moratorium would have extended from last November's election up until the end of this year, the end of 1995. It would have encompassed all of 1995 and the last several months of 1994.

That bill came up before the Senate, and it was overwhelmingly rejected by this Senate. Instead, on this across-the-board moratorium, the Senate adopted a substitute amendment which was offered by the Senator from Oklahoma and the Senator from Nevada. And that provided for a 45-day review of major new rules coming up before the new rules by the Congress. This 45-day review was agreed to by this Senate 100–0. Any time you can get a vote of 100–0, it is considered favorable; overwhelming is an understatement.

Before that bill was sent over to the House and to the conference of House and Senate Members, many of us here in the Senate made clear that if the conference report came back with an across-the-board moratorium, we would oppose it. We do not want these across the board moratoriums. We wanted the situation that was proposed by the Senator from Oklahoma which, principally, was for a 45-day review.

I want the Senate to know, as I indicated during the earlier debate, that I will oppose the conference report if it includes provisions of the type that I outlined, namely the restoration of these broad moratoriums that this bill had.

Now, yesterday, a Member of the House released a list of the rules that they have targeted in the House. They are not satisfied with a 45-day review.

They have targeted some 30 rules—12 of them are EPA rules; 4 of them are worker safety rules to be issued by OSHA; 10 of the rules relate to food and drug safety. Almost all of the rules on the list that are targeted by the House are there to protect public health, worker safety, and the environment.

I notice that the occupant of the chair is the distinguished Senator from Minnesota. One of the rules that is targeted deals with the Great Lakes clean water quality guidance. I do not know the position of the occupant of the Chair on this. I suspect that most of the Senators from those States—Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin—are interested in the quality of the water in those Great Lakes.

The EPA has proposed an initiative dealing with that situation. The EPA has estimated a proposal that could cost from $80 to $500 million annually. This has to do with the cleanliness of those lakes. This is one of the rules that has been targeted by the House Members, one that would be subject to an extensive moratorium.

There are a host of others, Mr. President. One of them I will describe. It is a rule promulgated under the Safe Drinking Water Act. It would reduce the levels of so-called disinfection byproducts in drinking water. These are the chemicals that form when water is chlorinated, as is done in most communities. It is chlorinated to kill bacteria and other organisms. The chlorine, in some instances, combines with other substances in the water to form new chemicals, such as chloroform, that may cause significant cancer risks for those using the water.

A recent article in the American Journal of Public Health indicated that up to 10,000—not 1,000, but 10,000—cases of cancer per year may be attributable to these chemicals in our water. EPA has been working on a rule to reduce this health risk.

Did EPA just conceive this rule as a bunch of bureaucrats sitting down at EPA headquarters? This is what they did. They convened a regulatory negotiation involving all of the parties that had an interest. The drinking water suppliers, the States, the cities, public health organizations—a very broad group worked for 2 years on this rule. With one exception, this broad range of interests all signed an agreement at the end of the process supporting the proposed rule. The proposed rule reflects a significant consensus across virtually the entire community of interests involved in drinking water. Now, under the House proposal this would be targeted; it would be suspended, you could not have the rule. You could not have the rule until some indefinite period—until certainly perhaps the end of this calendar year, and probably into the future likewise. Why should they do that? I am opposed to that type of action by the House of Representatives.

A second item on the list is a petition that EPA approved last December. It was a petition submitted by 13 States from the northeast—my State involved likewise—asking that cars with pollution controls such as those used in California also be sold in the Northeast to reduce our air pollution problems. This was not an EPA proposal. In fact, EPA was reluctant to approve this petition. It was required by the Clean Air Act because 13 States had made the request.

I was under the impression that many of those who support these regulatory reform efforts want to return more responsibility to the States. They say, "We believe in the States and States rights." Here we have a proposal that was made by the States that is targeted on this House list as being suspended.

Now, a third item on this list is the Federal implementation plan for California that was promulgated in February. EPA was ordered by the courts to produce this plan when California failed to come up with its own program. The EPA program has been controversial in California and Governor Wilson has asked that it be suspended. And this list would target it for suspension.

But this EPA clean air plan for California has already been overturned. The supplemental appropriation for the Defense Department enacted earlier this year already repealed the California plan, including this item on this list of 30 rules to be killed must be an error, because Congress has already acted to repeal this rule. I bring this item to the attention of the Senate to make that point. Where specific measures, including rules that are required by the courts because of laws enacted by the Congress, go too far, we should take action to correct the excess. We have done that in several cases. We do not need an across-the-board moratorium, as mandated by the House in the legislation it passed and suggested for this conference.

Another item on this list is also from the Clean Air Act. It is the employee trip reduction program that requires large employers in most severe nonattainment areas to work with their employees to reduce the number of vehicle trips each day. In other words, this is a way, in nonattainment areas of the country where they have not attained the clean air requirements, goals, that large employers would work with their employees to reduce the number of vehicle trips. Six hundred employees, six hundred cars—is that necessary, or is there another way of doing it? EPA has not issued, nor is it about to, any rule implementing this requirement of the act. So there is no rule to suspend.

This is a requirement of the Clean Air Act that guides States in the development of their own implementation plans. It is carried out by the States without Federal regulation. This is an example where a mechanism called a regulatory moratorium, such as the House is suggesting, is being used to reach into the Clean Air Act and knock out a specific policy that some in the House apparently do not like.

I am not here to defend the employee trip reduction program. In fact, earlier this year I asked EPA Administrator Carol Browner to look for other approaches to the problem of the increasing number of vehicle trips and miles that are traveled that we might substitute for this measure in the Clean Air Act. I am not arguing policy grounds one way or the other. My point is that in the guise of regulatory moratorium, some in the House are seeking to repeal the provision of the Clean Air Act that is not even implemented through Federal rulemaking. This proposal is not to freeze a rule. There is no rule to freeze. This is a proposal to change the law.

This list reflects an attack on 30 specific policies that some Members of the House would like to see reversed. These policies are intended to protect public health, worker safety, and the environment. I am familiar with the rules on the list that would come from EPA. They cannot be characterized as rules written by out-of-control bureaucrats without regard for cost or risk reduction. To the extent that rulemakings are actually involved, they have all been subject to cost-benefit analysis under existing regulatory review requirements. In some cases the rules have either been painstakingly developed in consultation with State or local governments are actually written by the States themselves.

Mr. President, the House is no longer proposing a regulatory moratorium. What we have here is a fishing expedition. They have thrown out a long list of policies they want killed to see how many the Senate will take in the name of compromise to get a bill. I hope our Senate conferees will not engage the House in this discussion.

Mr. President, the Senate voted overwhelmingly to reject an across-the-board moratorium on new rules. I trust the Senate conferees will not allow the conference to produce a bill that makes 30 specific changes in law without hearings, without debate in either body on the specific policies, and without the opportunity for Members to exercise their rights to offer amendments and have votes on the substantive questions at stake. That would be an extraordinary abuse of the standards that are to be observed by a conference committee between the House and the Senate.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DEWINE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous-consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERSTATE TRANSPORTATION OF MUNICIPAL SOLID WASTE ACT

The Senate continued with the consideration of the bill.

Mr. DOLE. Mr. President, let me state to my colleagues who are wondering about votes today, we believe we may have a unanimous-consent agreement. If it is approved, there will be no additional votes today. We should have word on that, hopefully, in the next few minutes. I know many of my colleagues have other things to do so we will try to keep everybody apprised.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHAFEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1074

(Purpose: To promote local and regional planning for effective solid waste collection and disposal and for reducing the amount of solid waste generated per capita through the use of solid waste reduction strategies)

Mr. CHAFEE. Mr. President, I send an amendment to the desk on behalf of Senator MCCONNELL and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. CHAFEE], for Mr. MCCONNELL, proposes an amendment numbered 1074.

Mr. CHAFEE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the amendment add the following:

TITLE —STATE OR REGIONAL SOLID WASTE PLANS

SEC. 01. FINDING.

Section 1002(a) of the Solid Waste Disposal Act (42 U.S.C. 6901(a)) is amended—

(1) by striking the period at the end of paragraph (4) and inserting "; and"; and

(2) by adding at the end the following:

"(5) that the Nation's improved standard of living has resulted in an increase in the amount of solid waste generated per capita, and the Nation has not given adequate consideration to solid waste reduction strategies.".

SEC. 02. OBJECTIVE OF SOLID WASTE DISPOSAL ACT.

Section 1003(a) of the Solid Waste Disposal Act (42 U.S.C. 6902(a)) is amended—

(1) by striking "and" at the end of paragraph (10);

(2) by striking the period at the end of paragraph (11) and inserting "; and"; and

(3) by adding at the end the following:

"(12) promoting local and regional planning for—

"(A) effective solid waste collection and disposal; and

"(B) reducing the amount of solid waste generated per capita through the use of solid waste reduction strategies.".

SEC. 03. NATIONAL POLICY.

Section 1003(b) of the Solid Waste Disposal Act (42 U.S.C. 6902(b)) is amended by inserting "solid waste and" after "generation of".

SEC. 04. OBJECTIVE OF SUBTITLE D OF SOLID WASTE DISPOSAL ACT.

Section 4001 of the Solid Waste Disposal Act (42 U.S.C. 6941) is amended by inserting "promote local and regional planning for effective solid waste collection and disposal and for reducing the amount of solid waste generated per capita through the use of solid waste reduction strategies, and" after "objectives of this subtitle are to".

SEC. 05. DISCRETIONARY STATE PLAN PROVISIONS.

Section 4003 of the Solid Waste Disposal Act (42 U.S.C. 6943) is amended by adding at the end the following:

"(e) DISCRETIONARY PLAN PROVISIONS RELATING TO SOLID WASTE REDUCTION GOALS, LOCAL AND REGIONAL PLANS, AND ISSUANCE OF SOLID WASTE MANAGEMENT PERMITS.—Except as provided in section 4011(a)(4), a State plan submitted under this subtitle may include, at the option of the State, provisions for—

"(1) establishment of a State per capita solid waste reduction goal, consistent with the goals and objectives of this subtitle; and

"(2) establishment of a program that ensures that local and regional plans are consistent with State plans and are developed in accordance with sections 4004, 4005, and 4006.".

SEC. 06. PROCEDURE FOR DEVELOPMENT AND IMPLEMENTATION OF STATE PLANS.

Section 4006(b) of the Solid Waste Disposal Act (42 U.S.C. 6946(b)) is amended by inserting "and discretionary plan provisions" after "minimum requirements".

Mr. MCCONNELL. Mr. President, I rise today to offer an amendment to help States get a handle on their local waste flows and to ensure that States are not precluded from establishing regional solid waste reduction plans. Next year, the subtitle D regulations affecting landfills will go into effect. These new regulations will force States to closely reevaluate their disposal needs and develop their own comprehensive plans on how they might implement the more stringent regulations.

Kentucky has already taken the initiative in establishing one of the most comprehensive solid waste reduction plans of any State. The Kentucky plan mandates that regional and local authorities establish a waste collection and disposal plan as well as regional waste reduction strategies. These efforts have proven effective in stopping illegal dumping, increasing recycling, and reducing the overall need for landfill space.

Unfortunately, without Federal legislation these plans are open to constitutional challenge. Mr. President, where does that leave us? How can States effectively meet the goals of reducing waste flows, increasing recycling, and improving landfill standards if they are prohibited from establishing an effective waste management plan?

Those of us who have been involved in the interstate waste issue know, this legislation is necessitated by the commerce clause of the Constitution. A number of State and local initiatives that attempted to deal with solid waste issues have wound up in court, and eventually been struck down based on this provision of the Constitution. Consequently, it is virtually impossible for a State to effectively deal with their own waste flows without a specific delegation of Congress' plenary commerce power.

In every Congress since 1990 there has been an attempt to provide States the authority to keep the interstate flow of solid waste in check. Over the past 6 years, I have fought hard with Senator COATS to ensure that States like Kentucky and Indiana do not become dumping grounds for those States that have refused to control their own waste flows.

Mr. President, my amendment will correct this by authorizing States to establish a comprehensive plan for waste reduction. This is essential if communities are to get a handle on their own waste flows through plans that promote local planning and are consistent with the objectives of subtitle D, of the Solid Waste Disposal Act passed by Congress in 1991.

Gone will be the days of open dumps and multitudes of cheap landfills when the new standards are implemented in 1996. These standards will mandate liners, leachate collection and treatment, groundwater and gas monitoring, and new corrective action. The EPA has estimated that nearly half of the Nation's 6,000 landfills will close. In Kentucky, new landfill standards have already gone into effect and the number of landfills has declined dramatically from 29 to just 6. Mr. President, these new regulations will compel many States to rethink their disposal needs and how they should plan for the future.

Many States may find they do not have an effective plan for disposing of their waste. States will need to establish a plan for consolidation, reduction, and recycling programs mandated by the Resource Conservation and Recovery Act. Again, my amendment will help States plan for the inevitable and protect already established plans from legal challenge.

Mr. President, this amendment will not eliminate existing host community agreements, nor will it ban the interstate flow of waste. In fact, in Kentucky a special landfill was recently authorized to accept waste from out-of-State. A number of Kentucky counties

continue to ship and accept nominal amounts of waste from our neighboring States of West Virginia, Ohio, Indiana, and Illinois. My amendment will not disturb these arrangements.

Mr. President, my amendment is entirely consistent with the export reduction strategies contained in this bill.

I have worked with the officials of the Kentucky Department of Natural Resources and Environmental Protection Cabinet and officials in Magoffin County to ensure that State and regional waste plans are protected in this legislation. I am appreciative of their assistance.

Today, Congress will clarify whether States have the authority to establish their own plan for the disposal of waste. Only with the explicit delegation of this authority can States be certain that they are acting within a constitutional framework.

I would like to thank the managers of this bill for accepting this amendment.

Mr. CHAFEE. Mr. President, I congratulate Senator MCCONNELL for the work he has done in connection with solid waste. It is a subject he has been interested in for a good number of years.

Kentucky is a State that has established one of the most comprehensive solid waste reduction plans of any State and the Senator was very conscious of that in his dealing with the legislation before us.

Mr. President, I again congratulate the distinguished Senator from Kentucky, Senator MCCONNELL, for the work he has done.

Mr. BAUCUS. Mr. President, we have reviewed the amendment on our side and urge its adoption.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 1074) was agreed to.

Mr. CHAFEE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, I ask unanimous consent to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL HIGHWAY SYSTEM AND NATIONAL SPEED LIMIT

Mr. BAUCUS. Mr. President, this week, the Senate Environment and Public Works Committee reported out a bill to designate the National Highway System or NHS. I want to congratulate the chairman of the committee on his leadership.

While some provisions in the bill cause me some concern, there is one feature that I would like to highlight today.

The National Highway System authorization bill repeals the national maximum speed limit. This is a commonsense feature. Repeal removes the threat of Federal highway dollar sanctions if a State does not post its roads at a 55- or 65-mile-per-hour speed limit.

The current standard of 55 or 65 miles per hour may make sense in some States—especially in urban, congested areas. However, for big, sparsely populated States like Montana, it may make sense to change that standard. And there is no need for Washington to decide for us.

Mr. President, the point is that the States should have the ability to set their own speed limits. The citizens in each State should have a say in these decisions without the threat of a Federal highway fund sanction.

I spend a lot of time walking the roads in Montana. I have walked from Livingston to Bozeman along I-90; down Route 93 from Missoula to Hamilton; up from Butte along the road to Missoula; and this summer I hope to spend a lot of time on the Hi-Line.

And I can tell you first-hand, those are easy roads to walk and they are easy roads to drive. They do not get a lot of traffic. People stop and talk. I can wave to every other driver as he or she goes by. And we should not treat these roads as if they have bumper-to-bumper New York traffic.

We made at least a start by letting States raise the limit to 65 on rural roads. But a Montana driver could drive very safely on many of our roads at a higher speed. Montana should be able to set its own speed limit without threatening our highway money.

So, Mr. President, among all the things the NHS bill does—tucked in amongst the big construction projects, new technology, increased competitiveness, and new jobs—is something that is pretty small, but which does a lot to make life easier and Government more sensible.

It is just plain, simple common sense. Thank you, Mr. President.

INTERSTATE TRANSPORTATION OF MUNICIPAL SOLID WASTE ACT

The Senate continued with the consideration of the bill.

AMENDMENT NO. 1075

Mr. CHAFEE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Rhode Island [Mr. CHAFEE], for himself and Mr. BAUCUS, proposes an amendment numbered 1075.

Mr. CHAFEE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Delete from page 34, line 5 through page 35, line 2 and replace with the following:

"(3)(A) Except as provided in paragraph (4), any State that imported more than 750,000 tons of out-of-State municipal solid waste in 1993 may establish a limit under this paragraph on the amount of out-of-State municipal solid waste received for disposal at landfills and incinerators in the importing State as follows:

"(i) In calendar year 1996, 95 percent of the amount exported to the State in calendar year 1993.

"(ii) In calendar years 1997 through 2002, 95 percent of the amount exported to the State in the previous year.

"(iii) In calendar year 2003, and each succeeding year, the limit shall be 65 percent of the amount exported in 1993.

"(iv) No exporting State shall be required under this subparagraph to reduce its exports to any importing State below the proportionate amount established herein.".

On page 36, line 12, add "and the Governor of the importing State may only apply subparagraph (A) or (B) but not both" after "facilities".

On page 38, line 2, after "year" insert ", and the amount of waste that was received pursuant to host community agreements or permits authorizing receipt of out-of-State municipal solid waste".

On page 38, line 3, delete "July 1" and insert "May 1".

On page 38, delete from line 17 through page 39, line 6 and replace with the following:

"(C) LIST.—The Administrator shall publish a list of importing States and the out-of-State municipal solid waste received from each State at landfills or incinerators not covered by host community agreements or permits authorizing receipt of out-of-State municipal solid waste.".

On page 35, line 20, strike "800,000", replace with "750,000".

On page 35, line 22, strike "600,000", replace with "550,000".

On page 52, strike line 6, insert the following: "sources outside the State.

"(g) IMPLEMENTATION AND ENFORCEMENT.—Any State may adopt such laws and regulations, not inconsistent with this section, as are necessary to implement and enforce this section, including provisions for penalties.".

Mr. CHAFEE. Mr. President, this managers' amendment that I have sent to the desk is the result of laborious and lengthy negotiations involving the distinguished Senator from Indiana, who spent so much time in connection with this legislation, and the distinguished Senator from New York, and many other Senators who have an interest in this legislation.

So I urge its adoption.

Mr. BAUCUS. Mr. President, we have examined the amendment. It is my understanding that various Senators, particularly the Senator from Pennsylvania, as well as the delegation from Illinois, who had some questions in the last final moments, have now found their objections are no longer such as to prevent the Senate from passing this bill. They no longer have those objections.

With those assurances, Mr. President, I urge the passage of the bill.

I want to particularly thank the Senator from Indiana, Senator COATS. Senator COATS labored in the vineyards in this issue for years and years, and I highly commend him for his efforts to limit out-of-State garbage from coming into his State of Indiana. I also want to compliment the chairman of the committee.

Last year, we almost passed this bill—within an eyelash of passing it. I compliment the chairman of the committee for helping make passage a virtual reality here today.

Many other Senators worked very hard trying to get the right balance, basically, between those States who want to limit trash coming into their States and those States that still do export a lot of trash.

Now, the exporting States, particularly New York and New Jersey, I think, are to be commended for taking significant action to reduce the amount of exports to those States to put less pressure on importing States.

Nevertheless, I think it is very important that the importing States—including my State of Montana—have the ability to say "no" to out-of-State trash. It is very important we have that.

I compliment, again, the Senator from Indiana as well as the Senator from New York [Mr. D'AMATO]. I urge the adoption of this amendment.

Mr. COATS. Mr. President, the Senator from Montana commended me for laboring in the vineyards for so many years. It did not seem like I was in the vineyards—more like the town dump.

I want to thank the chairman, Senator CHAFEE, for his work this year with me and with the coalition in fashioning this legislation, in particular this amendment that is being sent to the desk. It is the culmination of a lot of years, of a lot of work, by a lot of people.

As the Senator from Montana said, it is critical that States that are unwilling recipients of out-of-State waste have a say as to whether or not they receive this waste.

The Senator from Montana has worked tirelessly to help Members accomplish this effort. I would say to the Senator from Rhode Island, what a difference a year makes. We are here, together, working together on fashioning what I think is very appropriate legislation. I want to thank him, along with Senator SMITH, Senator D'AMATO, and others, for helping to put this amendment together. I urge its adoption.

Mr. CHAFEE. Mr. President, again I would like to say that the reason we have this legislation is really because of the steady, persistent tenacity of the Senator from Indiana.

I can assure the world that everybody in Indiana should feel very, very grateful for the work that Senator COATS has done in connection with this legislation. I can also assert that when the definition of "bulldog" is given, there is no one the tenacity shown by a bulldog more appropriately fits than Senator COATS. He has pressed this issue to its fullest. I congratulate him.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island.

So, the amendment (No. 1075) was agreed to.

Mr. BAUCUS. I move to reconsider the vote.

Mr. COATS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CHAFEE. Mr. President, I would like to take this opportunity to thank the distinguished Senator from Montana for his patience and help in all these measures; not only this one we are dealing with right now, but the whole series of them. His suggestions have been excellent. I want to express my personal appreciation, but I know that everyone in the Senate is indebted to him for his hard work in seeing we get these agreements.

AMENDMENT NO. 1076

Mr. CHAFEE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. CHAFEE], for Mr. D'AMATO, proposes an amendment numbered 1076.

The amendment is as follows:

Page 64, line 2, insert the following as letter (f) and reletter subsequent paragraphs accordingly—

(f) STATE-AUTHORIZED SERVICES AND LOCAL PLAN ADOPTION.—A political subdivision of a State may exercise flow control authority for municipal solid waste and for recyclable material voluntarily relinquished by the owner or generator of the material that is generated within its jurisdiction if, prior to May 15, 1994, the political subdivision—

(1) had been authorized by State statute which specifically named the political subdivision to exercise flow control authority and had implemented the authority through a law, ordinance, regulation, contract, or other legally binding provision; and

(2) had adopted a local solid waste management plan pursuant to State statute and was required by State statute to adopt such plan in order to submit a complete permit application to construct a new solid waste management facility proposed in such plan; and

(3) had presented for sale revenue or general obligation bond to provide for the site selection, permitting, or acquisition for construction of new facilities identified and proposed in its local solid waste management plan; and

(4) includes a municipality or municipalities required by State law to adopt a local law or ordinance to require that solid waste which has been left for collection shall be separated into recyclable, reusable or other components for which economic markets exist; and

(5) is in a State that has aggressively pursued closure of substandard municipal landfills, both by regulatory action and under statute designed to protect deep flow recharge areas in countries where potable water supplies are derived from sole source aquifers.

Mr. BAUCUS. Mr. President, we examined this amendment and we urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

So, the amendment (No. 1076) was agreed to.

Mr. COATS. Mr. President, I move to reconsider the vote.

Mr. CHAFEE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1077

Mr. COATS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Indiana [Mr. COATS], proposes an amendment numbered 1077.

Mr. COATS. Mr. President, I ask unanimous consent further reading be dispensed.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 52, between lines 10 and 11 insert the following:

"SEC. 102. NEEDS DETERMINATION.

"The Governor of a State may accept, deny or modify an application for a municipal solid waste management facility permit if—

"(1) it is done in a manner that is not inconsistent with the provisions of this section;

"(2) a State law enacted in 1990 and a regulation adopted by the governor in 1991 specifically requires the permit applicant to demonstrate that there is a local or regional need within the state for the facility; and

"(3) the permit applicant fails to demonstrate that there is a local or regional need within the State for the facility.".

Mr. CHAFEE. Mr. President, this amendment is thoroughly agreeable to the Members on this side.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

So, the amendment (No. 1077) was agreed to.

Mr. CHAFEE. Mr. President, I move to reconsider the vote.

Mr. COATS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CHAFEE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSTON. Mr. President, I ask unanimous consent to be allowed to proceed for 5 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENT CLINTON'S ACCOMPLISHMENTS IN MOSCOW AND KIEV

Mr. JOHNSTON. Mr. President, in my judgment, there have been a number of premature pronouncements about the outcome of the President's trips to Moscow and Kiev that I believe are one-sided and unfair. Many important achievements have been overlooked and ignored, and important foundations have been laid for success on more contentious issues in the future.

It is far too early to know what the ultimate outcome will be on the very contentious issue of the proposed Russian sale of nuclear reactors to Iran. The President began the process of engaging the Russians seriously on the serious global security implications of such a sale by sharing information with the Russians which they will not assess and debate. The Russians have not closed the door to reconsideration of this issue; the President kept it open through persuasive argument which we hope, when fully evaluated by the Russian side, will lead to the Russians decided to cancel this sale.

Lost in the coverage of the reactor sale was an important victory in the resolution of a number of outstanding issues regarding Russia's closing down arms sales to Iran. The Vice President and Chernomyrdnin will draw up the final agreement on this very important issue, which will permit Russia to join in with other States as a founding member of the post-COCOM regime. Key sticking points on biological weapons cooperation, notably the Russian agreement to begin visits to biological weapons factories on August 1, 1995, were resolved and the United States and Russia also issued a joint statement on principles on theater missile defense systems and their relationship to the ABM Treaty. Yeltsin also reaffirmed strong support for START II ratification.

In large part because of the President's personal effort, Russia recommitted herself to being part of the evolving European security landscape. Yeltsin agreed to drop his opposition to moving forward with Russia's Partnership for Peace Membership and agreed to proceed with implementation of its program before the end of this month. Yeltsin also indicated agreement with plans to launch an expanded Russia-NATO dialog at the May NAC.

These are all significant developments, developments which will give us a more secure and more peaceful world.

My own view is that the President's decision not just to visit Moscow but to travel on to Kiev was also very important and underscores the policy of the United States of supporting all the newly independent States, not just Russia.

Fortunately, we have excellent relations with Ukraine now, and because of the groundwork that President Clinton and his delegation laid we can expect to see expanded trade, investment, and commercial relations in the future. None of these changes happen overnight, and they will never occur unless a strong and positive foundation is carefully laid. President Clinton's visit laid just such a foundation.

In addition, President Clinton and President Kuchma entered into an excellent exchange of views on how the United States and Ukraine can cooperate to shape a stable, undivided Europe in the future. As many have reflected on the events in Europe 50 years ago, I believe we all know and understand how critically important this is to world peace and to a peaceful future for the United States.

I applaud President Clinton for undertaking this trip at this time. He has reached out to the people of Russia and to the people of Ukraine at a critical time in the evolution of their political systems, and I believe through his visits with political leaders from throughout the Russian political spectrum and with students at Moscow University spoke up clearly, firmly, and loudly for democracy, free elections, and reform.

Fifty years ago, it would have been unthinkable for an American President to travel to Moscow, speak to students about democracy, free elections, economic and political reform, and have that message broadcast throughout Russia by Russian radio. This unthinkable event happened earlier this week. I am confident that this message was not lost on the Russian people, and I hope it will not be lost here, for I believe this shows concretely how far our relationship has evolved and how much each step we have taken has meant in the long run toward real and meaningful change.

I believe the steps President Clinton took in Moscow and Kiev will result in more permanent, lasting changes in the future, and I congratulate him for tackling the many difficult and daunting problems which he took on straightforwardly. Ultimately, I believe the record will reflect that significant progress was achieved in many areas because of the foundation which President Clinton laid this week.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CHAFEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. Mr. President, I am pleased that the Senate has turned to this critical environmental issue and I urge my colleagues to support this legislation, the Interstate Transportation of Municipal Solid Waste Act of 1995. Congress came very close to enacting similar legislation in 1994, and I am hopeful that we will achieve closure on the interstate waste and flow control issues shortly. I commend my colleagues JOHN CHAFEE, BOB SMITH, and DAN COATS for their dedicated effort in bringing this bill to the floor at this early date.

It is high time that the largest trash exporting States bite the bullet and take substantial steps towards self-sufficiency for waste disposal. This legislation would provide much-needed relief to Pennsylvania, which is by far the largest importer of out-of-State waste in the Nation. According to the Pennsylvania Department of Environmental Resources, 3.9 million tons of out-of-State municipal solid waste entered Pennsylvania in 1993, and 4.3 million tons of out-of-state municipal solid waste entered Pennsylvania during 1994. Most of this trash came from other States in the Northeast; in 1994, New York and New Jersey were responsible for 3.8 million of the 4.3 million tons imported into Pennsylvania, representing 88 percent of the total. New York alone sent 2.3 million tons of municipal solid waste into Pennsylvania last year.

This legislation would go a long way toward resolving the landfill problems facing Pennsylvania, Indiana, and similar waste importing States. I am personally familiar with the anxiety that the landfill crisis provokes in local communities. On several occasions, I have met with county officials, environmental groups, and residents of northeastern Pennsylvania to discuss the solid waste issue. I came away from those meetings impressed by the deep concerns expressed by the area's residents.

Recognizing the recurrent problem of landfill capacity in Pennsylvania's 67 counties, since 1989 I have pushed to resolve the interstate waste crisis. In 1989 and 1991, I joined my late colleague, Senator John Heinz, to introduce the Solid Waste Disposal Act Amendments Act, which would have provided incentives for States to devise realistic long-term plans for handling solid waste disposal.

I also supported the Interstate Transportation of Municipal Waste Act of 1992, which passed the Senate by an 89–2 vote in July, 1992. That bill would have allowed a Governor, at the request of a local government, to prohibit the disposal of out-of-State municipal waste in any landfill or incinerator within its jurisdiction. The House

failed to take action on that bill, leaving it to this Congress to act on this issue.

At the beginning of the 103d Congress, I joined Senator COATS in trying to build on our near success the previous year and joined 16 of our colleagues to introduce bipartisan interstate waste legislation (S. 439). That bill, which was introduced on February 25, 1993, was modeled on the waste legislation which had passed the Senate in July 1992 by an overwhelming margin. I was pleased that many of the concepts contained in the Coats-Specter bill were relied upon in S. 2345, the bill unanimously reported out by the Environment and Public Works Committee last August and again in the bill being considered by the Senate today. Last year's bill provided legal authority to every State to restrict out-of-State municipal solid waste and was approved in the Senate by voice vote on September 30, 1994. A modified version of that bill, which included both interstate and flow control provisions, was received by the Senate on the last day of the 103d Congress, but was not considered on the floor.

On March 22, 1995, I joined Senator COATS and other colleagues in introducing S. 589, which parallels the Coats-Specter bill from the 103d Congress (S. 439). The legislation we are considering today builds upon the legislation that passed the Senate by voice vote in 1994 and the bills I have worked on with Senator COATS in 1993 and 1995. I am confident that S. 534 will empower States to deal with their solid waste more effectively because it would provide every State with significant new authority to restrict imports of out-of-State municipal solid waste.

Some may wonder why there is a need for Federal legislation to empower States to restrict cross-border flows of garbage. Simply put, Pennsylvania and other States that were in the forefront of solid waste management have ended up as the dumping ground for States that have been unwilling to enact and enforce realistic long-term waste management plans. Although I am advised that these States are making some progress, some continue to ship increasing amounts of waste to Pennsylvania landfills.

This legislation will lead to significant reductions in the amounts of out-of-State waste imported into Pennsylvania and other States. Let me explain how this will be accomplished. First, the legislation allows a Governor to unilaterally freeze out-of-State waste at 1993 levels at landfills and incinerators that received waste in 1993. In addition, an import State ratchet provides that a Governor may restrict waste imported from any one State in excess of 1.4 million tons in 1996, down to 550,000 tons in 2002 and thereafter. I was pleased that this provision has been carried over from last year's bill and is even more restrictive on out-of-State trash. This provision provides a concrete incentive for the largest exporting States to get a handle on their solid waste management immediately.

It is important to note that title I of this legislation explicitly protects State contract law and protects host community agreements. It also authorizes restrictions on waste imported from Canada if doing so is found by the President to be consistent with NAFTA and GATT.

Mr. President, I am also pleased to support S. 534 because it contains provisions addressing the issue of waste flow control authority, an issue of vital importance to Pennsylvania's counties.

During the 103d Congress, we encountered a new issue with respect to municipal solid waste—the issue of waste flow control authority. As a result, today we are also considering legislation which would restore local authority to control the flow of municipal solid waste.

On May 16, 1994, the Supreme Court held—6-3—in Carbone versus Clarkstown that a flow control ordinance, which requires all solid waste to be processed at a designated waste management facility, violates the commerce clause of the United States Constitution. In striking down the Clarkstown ordinance, the Court stated that the ordinance discriminated against interstate commerce by allowing only the favored operator to process waste that is within the town's limits.

As a result of the Court's decision, flow control ordinances in Pennsylvania and other States are considered unconstitutional. Therefore, it is necessary for Congress to enact legislation providing clear authorization for local governments to utilize waste flow control.

I have met with county commissioners who have made clear that this issue is vitally important to the local governments in Pennsylvania. As further evidence of the need for congressional action, I would note the numerous phone calls and letters my office has received from individual Pennsylvania counties and municipal solid waste authorities that support waste flow control legislation. The County Commissioners Association of Pennsylvania has pointed out that since 1988, flow control has been the primary tool used by 65 of the 67 Pennsylvania counties to enforce solid waste plans and meet waste reduction/recycling goals or mandates. Many Pennsylvania jurisdictions have spent a considerable amount of public funds on disposal facilities, including upgraded sanitary landfills, state-of-the-art resources recovery facilities, and co-composting facilities. In the absence of flow control authority, many of these worthwhile projects could be jeopardized. There is also a very real concern that as a result of the Carbone decision, prompt congressional action is necessary to ensure that local communities may meet their debt service obligations related to the issuance of revenue bonds for the construction of their solid waste management facilities.

I believe that this bill will protect the ability of municipalities to plan effectively for the management of their municipal solid waste while also guaranteeing that market forces will still provide opportunities for enterprising companies in the waste management industry.

In conclusion, this legislation makes sense because in the absence of Federal legislation to empower States to restrict cross-border flows of waste, Pennsylvania and other States inevitably become dumping grounds for States that haven't shown the fortitude to enact realistic long-term waste management plans. Further, by restoring flow control authority, this legislation protects Pennsylvania and its component local jurisdictions, which have promulgated comprehensive solid waste management plans and established state-of-the-art facilities to handle waste generated within the Commonwealth.

I yield the floor.

AMENDMENT NO. 869

Mr. CAMPBELL. Mr. President, possibly the most important provision of this legislation for my State is in restoring the opportunity for small community or county landfills to be exempt from the ground water monitoring requirements of RCRA, if they meet certain conditions.

Under the bill a community landfill can be exempt from monitoring if it can demonstrate four things: that it takes in no more than 20 tons of waste per day, that there is no evidence of ground water contamination, that it is in an area that receives less than 25 inches of precipitation, and that it has no practical landfill alternative.

The problem we have in Colorado and, I suspect, throughout the West, is that we have many landfills that pose zero threat to ground water but they may be taking in more than the bill's limit of 20 tons of trash per day.

My amendment does two things: First, it codifies an existing regulation under which a landfill operator may file a no-migration petition with the State; if the petition is approved, the landfill operator becomes exempt from the ground water monitoring requirements.

And second, my amendment directs the Administrator to publish within 6 months an explanatory, or guidance, document by which small towns and counties will be able to easily and directly take advantage of this opportunity.

Since the implementation of RCRA, about a third of the landfills in Colorado have closed. Towns and counties

have spent millions developing new landfills that comply with the subtitle D requirements, in spite of the fact that in most of Colorado there is practically zero threat of leaching dangerous substances from landfills into ground water.

Dozens of landfills in Colorado are situated more than 100 feet above the water table; the intervening layers are often composed of shale and clay, making it impossible for materials to leach downward. Under the existing subtitle D landfill rules these landfills must be lined with an impermeable liner; to then require that these communities spend an additional $15,000 per year or so to test the ground water is an extreme form of overkill.

Mr. President, the EPA understands that these conditions exist and to their credit the agency conceived of and adopted this no migration petition process. All that my amendment does is to codify this opportunity, an opportunity that has already stood the full test of rulemaking, and to push EPA to make the program available in our rural counties.

Mr. President, I want to particularly thank the distinguished chairman, Senator CHAFEE, and the distinguished ranking member, Senator BAUCUS, for working with me on this important amendment to our western counties.

COMMENDING FORMER PRESIDENT BUSH

Mr. CHAFEE. Mr. President, I want to commend former President Bush for the courageous stand he has taken in canceling his National Rifle Association membership based upon the improper language that was used in a solicitation letter by the National Rifle Association.

I previously have spoken on this floor about the intemperate language that was used in that letter. It is no excuse to say, "Well, fundraising letters are not always accurate. There was a little bit of hyperbole here, and it went a little bit overboard, but perhaps otherwise it was all right."

I think to describe members of law enforcement organizations of the United States as "jack-booted thugs" and individuals wearing "nazi bucket helmets" who randomly shoot civilians is just totally improper.

So, Mr. President, I commend former President Bush. I think what he did was the right thing. I hope it sends a sobering note to the National Rifle Association to watch its language, particularly language it sends out in solicitations, or in whatever manner in which they dispense such language.

I congratulate the former President for his actions.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. CHAFEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERSTATE TRANSPORTATION OF MUNICIPAL SOLID WASTE ACT

The Senate continued with the consideration of the bill.

UNANIMOUS-CONSENT AGREEMENT

Mr. CHAFEE. Mr. President, we are ending the long, long trail toward passage of S. 534.

In order to accomplish crossing that goal line, I ask unanimous consent that, except for the following amendments, no other first-degree amendments be in order after the close of business, and that these first-degree amendments be subject to relevant second-degree amendments and limited to one-half of the time allocated for each first-degree amendment. The excepted amendments are: Murray-Gorton, Feinstein, Levin, Domenici, and Kempthorne.

I further ask unanimous consent that when the Senate resumes the bill on Tuesday at 9:30 a.m., Senator MURRAY be recognized to offer an amendment on which there will be a time limit of 1 hour to be equally divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEINSTEIN AMENDMENT

Mr. CHAFEE. Mr. President, I further ask unanimous consent that following the disposition of the Murray amendment, Senator FEINSTEIN be recognized to offer her amendment on which there be 30 minutes to be equally divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEVIN AMENDMENT

Mr. CHAFEE. Mr. President, I further ask unanimous consent that following the disposition of the Feinstein amendment, Senator LEVIN be recognized to offer an amendment, relative to expansion, on which there be 30 minutes for debate to be equally divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

DOMENICI AMENDMENT

Mr. CHAFEE. Mr. President, I further ask unanimous consent that following the disposition of the Levin amendment, Senator DOMENICI be recognized to offer an amendment relative to title III, on which there be 30 minutes for debate to be equally divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

KEMPTHORNE AMENDMENT

Mr. CHAFEE. Mr. President, I further ask unanimous consent that following the disposition of the Domenici amendment, Senator KEMPTHORNE be recognized to offer an amendment, which is clarifying in nature, on which there be 30 minutes for debate to be equally divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. CHAFEE. Mr. President, after checking with the leadership, I am free to announce there will be no further rollcall votes today.

MORNING BUSINESS

Mr. CHAFEE. Mr. President, I ask unanimous consent that there be a period for morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE MOSCOW SUMMIT

Mr. DOLE. Mr. President, I want to congratulate the President for his successful summit in Kiev. Under President Kuchma, Ukraine has become a model for the States of the former Soviet Union. Agreement to disband nuclear weapons; free market economic reforms; free and fair elections; open investment climate. President Clinton's visit was a timely show of support to the deserving people of Ukraine. I expect the Congress to show our support for Ukraine's political success.

There has been a lot said in the media about reaction to the Moscow summit. I have expressed my disappointment at the results of the Moscow summit. As I said yesterday, this is not partisan politics—it is a judgment based on the facts. I note that today's New York Times carries a headline, "Iran relieved on Yeltsin deal." If Iran is relieved at the results of the summit, all of us have cause for concern. Secretary Christopher, in particular, has led the administration's efforts to prevent nuclear technology from reaching Iran. I hope to work with him over the coming months in support of that important goal.

The reality is, however, that there was great controversy over President Clinton's decision to attend V–E Day ceremonies in Moscow and not in other capitals. The President made his decision, and the President decided to add to the V–E Day ceremonies with a substantive summit. Now, in the aftermath of the summit, Judgments are being made about what was achieved. I happen to share the view of Henry Kissinger, that a tremendous opportunity was missed on this overseas trip. I also agree with Dr. Kissinger that "NATO expansion requires a decision, not a study." As he points out, the current drift in United States policy could leave us with the worst of all worlds—the disintegration of Western unity with a still-anxious Russia.

In the past few days, other distinguished writers have expressed their views on what was achieved at the

Moscow summit, particularly by Bill Safire and Charles Krauthammer. These articles deserve careful reading by my colleagues as we continue our assessment of the Moscow summit.

I ask unanimous consent the articles by Safire, Krauthammer, and the article by former Secretary Kissinger be printed in the RECORD following my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, May 11, 1995]

NADIR OF SUMMITS

(By William Safire)

WASHINGTON.—Bill Clinton represented American interests poorly in Moscow.

On the sale of Russian nuclear plants to Iran, he was taken in by—or participated in—a trick.

One month ago, to create a "concession" to the naïve American President, Boris Yeltsin's atomic energy chief upped the ante, letting C.I.A. ears hear him consider adding centrifuges to the deal with Teheran. That outrageous act would be like selling mullahs the means to make a bomb right away, instead of in a few years with nuclear plants alone.

It was a ploy. While brushing aside a Clinton plea to withhold nuclear facilities from Iran, Mr. Yeltsin grandly agreed not to add the centrifuges. Clinton said he was "deeply impressed" by this marvelous restraint, then failed to make a strong case against the plants on TV; Warren Christopher spun the centrifuge ploy as "great progress."

Score a second victory for Yeltsin's generals on the 1990 Conventional Forces in Europe Treaty. This was the agreement to limit Russian troops, tanks and artillery near the West from Norway to Turkey.

But the heroes of Chechnya want to put a new 58th Russian Army in the Caucasus to dominate its freed republics, much as Russia now runs Georgia, Moldova and Belarus. This would menace Turkey as well, but apparently nobody told Tansu Ciller during her recent visit to the White House that Mr. Clinton would say "We are supporting the Russian position" in blithely changing a treaty ratified by the U.S. Senate.

The third defeat suffered by our absorbent President in this nadir of summits was about Chechnya. With the American next to him, Yeltsin brazenly told the world press "there is no armed activity" in that bloodied republic. "The armed forces are not involved there. Today the Ministry of the Interior simply seizes the weapons still in the hands of some small armed criminal gangs."

As he was mouthing this baldfaced lie, the Russian Army was intensifying its shelling of rebel positions southeast of Grozny, following its Mylai-style massacre of unarmed civilians in Samashki one month ago. The Clinton response was to shut up. In his long, prepared speech later, he devoted two quick sentences to "this terrible tragedy" that could "erode support for Russia."

Americans could well feel humiliated by their President's acquiescence in the lying in his presence, and by his failure to respond to that personal insult by broadcasting the truth. Many Russians were hoping he would express the dismay felt by the rest of the world at the brutality of the generals supporting the unpopular Yeltsin. But he hardly went through the motions.

Watching on TV in his Duma office, reformer Grigory Yavlinsky said "not enough" when Clinton touched ever-so-lightly on the continuing Chechnyan slaughter. And when Clinton praised Yeltsin for promising elections on time, as if that were proof of his democratic spirit. Yavlinsky said: "But we always had elections on time. The question is what kind of elections—how open, how fair, how financed, how counted, how supervised."

We do not yet know if Mr. Clinton gave away our right to deploy regional defenses against ballistic missiles; if so, that would score this summit Yelsin 4, Clinton 0. And the individual meetings we hoped he would have with opposition leaders degenerated into a breakfast group photo-op.

The White House spinmeisters will say: but we got Yeltsin to join the Partnership for Peace, didn't we?

C'mon: the PfP will go pfft at noon on Jan. 20, 1997. If the paper "partnership" is a fig leaf to cover the necessary eastward expansion of NATO, it fools nobody; but if Yeltsin's plucking of the fig leaf means Russia expects to be invited to join NATO, there goes the neighborhood—NATO would lose all meaning as a deterrent to future Russian empire-rebuilding.

Summits do not always yield mutual concessions; conflicting political interests are rarely ameliorated by displays of cordiality. But a sign of an American President's seriousness and maturity in the conduct of foreign policy is the willingness to admit intractability. We saw that so clearly in Reagan's cold expression saying goodbye to Gorbachev in Iceland.

Bill Clinton and his anxious aides are pretending this summit was a success when they know it was a flop. They would gain more respect by reporting reality.

[From the Washington Post, May 12, 1995]

THE PUSHOVER PRESIDENCY

(By Charles Krauthammer)

We will not be satisfied by anything other than the end of the [Russia-Iran] nuclear program.—Secretary of State Warren Christopher, May 4.

And what, pray tell, is the penalty for denying satisfaction to this American secretary of state?

Christopher and his boss have said a dozen times how important it is to the United States that Russia cancel its deal to sell nuclear technology to Iran. This is an issue on which the president has promised "to be quite aggressive." Evidently, he considers pleading and cajoling forms of aggression. After weeks of both—and after rewarding the Russians by celebrating V-E Day in Moscow—Clinton returns home empty-handed. The Russians offered him a couple laughable fig leaves (such as canceling a gas centrifuge sale to Iran, the chief purpose of which was to give them something to cancel), but never budged on the nuclear reactor deal.

It is bad enough to have no clout in foreign policy. Why make a point of advertising it?

The Russians have not just rejected American entreaties. They have been contemptuous of them. On Feb. 6, for example, a Russian foreign ministry official charged that "Washington is more concerned with removing its competitors than about protecting international security"—not just rejecting the U.S. position on Iran but implying that our motives are entirely fraudulent as well.

The Japanese, as is their wont, have been more polite but no less determined in brushing off the United States. On Tuesday, having cut off our own trade with Iran, we asked Japan to follow suit. The timing was curious: Asking the Japanese to follow our lead at some economic sacrifice just as we are declaring a trade war on them. The response was predictable: The foreign ministry spokesman said Japan would study the U.S. policy taking into consideration its own "policy of securing a stable supply of petroleum." Translation: fat chance.

What did we expect? It is bad enough to have an ineffectual foreign policy. It is worse to highlight that ineffectiveness by inviting repeated public rebuff. Our Iranian diplomacy is only the latest example. The tone was set with Christopher's first trip to Europe in 1993, when he presented his ideas on Bosnia as if he were at some Aspen conference. He insisted on nothing and got nothing. The allies can tell when Big Brother is serious and when he is not. They pointedly went their own way.

A year later he traveled to China waving a human rights agenda. He was treated scandalously. Dissidents were arrested while he was in Beijing, just to rub it in. Two months later, Clinton lifted the threat of sanctions against China. The point was made for all to see: There is no penalty for stiffing this administration.

Yet another demonstration of administration weakness was offered this year by North Korea. Abjectly capitulating to North Korean war threats, Clinton went from declaring that North Korea would not be allowed to acquire any nuclear weapons to heralding an agreement under which North Korea might begin to dismantle its facilities for building more bombs a decade from now—and is rewarded by the United States with a nine-year supply of free oil, two free $2 billion nuclear reactors (the same type, incidentally, that the Russians are selling Tehran) and the opening of trade and diplomatic relations.

Meanwhile, North Korea's bomb-building machinery is Scotch-taped shut. It threatens weekly to remove the tape and restart the program if we do not jump through yet more diplomatic hoops. We jump.

Has there ever been a president who commanded less respect abroad, less fear, less compliance than Bill Clinton? Jimmy Carter, maybe. But, to be fair, he was leading a country in full psychological retreat from Vietnam. He was holding no cards.

Clinton, on the other hand, leads the sole remaining superpower, fresh from victory in the Cold War, unchallenged by any Great Power for the first time in 50 years, in command of the world's dominant military force—and finds himself unable to be taken seriously by even the most minor world actors.

Why? Partly, presidential inattention to and lack of interest in foreign affairs. Partly, Warren Christopher's natural inclination to find consensus rather than assert interests. His repeated trips to Syria, for example, begging a terrorist state (by the State Department's own definition) to accept the most generous territorial concessions it has ever been offered, are an embarrassment. But for a secretary of state who sees his job as splitting differences rather than knocking heads, it seems perfectly natural.

The most important source of American diplomatic weakness, however, is a president who so discounts the domestic political impact of foreign policy that he will expend no political capital—risk no popularity—on behalf of any of his solemnly declared foreign policy goals. None on Bosnia. None (at least intentionally) on Somalia. None on North Korea. None on China. None on NATO expansion. None on Russia.

The only issue on which the president has shown himself muscular is international economics: negotiating free trade agreements,

opening markets, winning foreign contracts. Not since Calvin Coolidge have we had a president who so firmly believes that the business of America—at least in foreign policy—is business. Take away a narrow economic interest in foreign affairs, and you have a president who would rather be golfing.

[From the Washington Post, May 12, 1995]

FOR U.S. LEADERSHIP, A MOMENT MISSED

(By Henry Kissinger)

President Clinton's attendance at the V-E Day celebration in Moscow aroused ambivalent emotions. No doubt Soviet sacrifices contributed decisively to victory over the Nazi dictatorship. But it is also true that the Nazi-Soviet Pact had made the war possible; that Stalin had divided Eastern Europe with Hitler; that he then supplied the Nazi war machine until the Soviet Union was attacked; and that upon victory, he occupied Eastern Europe, launching four decades of Cold War.

The Yeltsin-Clinton summit, moreover, took place at a moment of extraordinary uncertainty in U.S.-Russian relations. There are disagreements over Chechnya, nuclear sales to Iran and NATO expansion—all issues deserving high-level attention. The question remains whether V-E Day celebrations, with the presence of so many other heads of state, was the most auspicious occasion for addressing these controversies. Even more fundamentally, the visit to Moscow reveals the lack of balance in the priorities of the administration's foreign policy.

If any European city deserved to be singled out by America for an Allied remembrance, it was London. Capital of the nation that steadfastly resisted Nazi aggression from the beginning, it became America's most reliable ally, both in the war and in the Cold War that followed. No better occasion is likely to arise to celebrate Great Britain's unique contribution to the cause of freedom or to express America's appreciation for two generations of steadfast cooperation.

That the moment was not seized—even as a stop on the way to Moscow—was no mere oversight. One of the curious attributes of the leaders who grew up during the Vietnam protest movements is that their obsession with transcending the categories of the Cold War imprisons them in the debates of the Cold War period. One of their articles of faith seems to be that the Communist (or Soviet) menace was overdrawn, indeed that the Cold War cold have been most effectively ended—if it need ever have been waged—by reassuring Russia rather than confronting it.

In that spirit, Deputy Secretary of State Strobe Talbott, the principal architect of Washington's European policy, argued in Time magazine as late as 1990 that the doves had never been the threat it had been cracked up to be. Western policy had been at best irrelevant when it had not actually delayed the Soviet collapse. Thus Cold War attitudes and institutions, including the North Atlantic Treaty Organization, needed to change their character.

This indeed has been the rationale behind the administration's Partnership for Peace proposal, which, whatever the rhetoric to the contrary, transforms NATO from an alliance into an instrument of collective security akin to the United Nations, thereby depriving North Atlantic relations of their special character.

While these attitudes are not uniformly held throughout the administration, they are sufficiently powerful to explain the solicitude shown to Yeltsin's personality and Moscow's sensitivities compared with the tone deafness exhibited toward West European—and especially British—concerns. Washington-Moscow relations are treated as the keystone of America's European, if not global, policy.

A good illustration is the administration's attitude toward NATO expansion. Senior officials have claimed that the issue is when to expand NATO, not whether to. They have also indicated that they would go along with Yeltsin's request that NATO expansion proceed slowly and that Russia's eventual membership in NATO not be foreclosed.

Briefings prior to Clinton's Moscow trip put the "when" at five years and left open the possibility of a "reformed" Russia joining the alliance. The long hiatus guarantees that the issue of NATO expansion will continue to fester, while Moscow will be encouraged to pressure the NATO allies and the nations of Eastern Europe. At the same time, there is not one of Russia's western neighbors seeking to join NATO that would not regard offering Russia membership as the wolf's being asked to guard the lambs.

So long as the cohesion of the Atlantic Alliance is not given anything like the priority the administration attaches to placating Moscow, Russia will find ways to avoid the key challenge presented to it by the collapse of its empire: whether it can be satisfied to live as a normal state within non-imperial borders—even though it comprises 11 time zones and huge resources. A country of such size and possessing some 20,000 nuclear weapons should not need additional territory to feel secure. A Russia that abandons imperial pretensions would soon deflect concerns from the field of security to political and economic cooperation, for example the European security conference or the G–7.

From this point of view, how much better it would have been for Clinton to stop in London—even on the way to Moscow—and use the occasion of its V-E Day celebration to outline a new vision of the North Atlantic relationship, something his administration has so far refused to do.

A new initiative is needed above all to restore a sense of direction to American foreign policy. It has become axiomatic that the next phase of international relations will be shaped by a limited number of power centers: the United States, Europe, Russia, Japan, China and possibly India and Brazil. Theoretically it is possible for the United States to conduct its policy purely on the basis of national interest, not unlike what Great Britain in the 19th century termed the policy of "splendid isolation." This would require a careful assessment of rewards and penalties for each region of the world and a balancing of them to produce actions most compatible with America's national interest. In the abstract, such a policy should be tenable because, on the face of it, all the major actors enumerated above have greater conflicts with each other than with the United States.

But in fact the United States lacks a tradition of a foreign policy based entirely on the national interest. There is little bureaucratic skill in so cold-bloodedly equilibrating rewards and penalties on a global basis. A country founded by peoples who had turned their backs on inherited tradition and who believed in the universal application of the values of their society cannot simply abandon the Wilsonianism that has dominated 20th-century American foreign policy.

Though I believe the time has come for America to develop a concept of the national interest and apply it in a balance-of-power context, this will work only if we reduce the regions for this kind of foreign policy as much as possible and extend the areas where a more cooperative—even Wilsonian—approach is feasible.

Russia is as yet too inchoate and unformed to function as the anchor of American foreign policy. The two regions where moral consensus can undergird cooperative relationship are the Western Hemisphere and the North Atlantic or area. In both, the key countries have, to all practical purposes, forsworn the use of force in their relations with each other. In each, institutions already exist capable of serving as building blocks of a cooperative world order: NAFTA and Mercosur in the Western Hemisphere, NATO and the European Union in the Atlantic region. But while the Clinton administration has put forward an imaginative vision for the Western Hemisphere, it has failed to do so for the North Atlantic area, in part because of the intellectual legacy described earlier.

Unless America assumes a real leadership role, the nations bordering the North Atlantic will gradually drift apart. America will become increasingly marginalized; the two sides of the Atlantic will grow more conscious of their rivalries than of their common purposes.

I strongly favor NATO expansion. The current policy of carrying water on both shoulders, of hinting at expansion to Western and Central Europe while trying to placate Russia with prospects of a protracted delay—of which the Moscow summit is a prime example—is likely to accelerate the disintegration of Western unity without reassuring Russia. NATO expansion requires a decision, not a study.

Nevertheless, by itself it will not create a new sense of Atlantic community. Security can no longer be the principal unifying bond of the Atlantic nations because, fortunately, there no longer exists a unifying threat. Common purposes, not common fears, must provide the cohesion in the new era in which economic and social issues are becoming dominant.

The time has come to put into effect a North Atlantic Free Trade Area for manufactured goods and services, with negotiations regarding agriculture to follow. Such a grouping would accelerate the movement toward the principle of free trade to which the members of the World Trade Organization have committed themselves. In the meantime, it would foster cooperation among the nations of the North Atlantic. In a world with massive growth in Asia, with ethnic conflicts and religious fundamentalism, the Western democracies cannot afford their historical proclivities to national or regional rivalries.

The conditions are propitious. Labor standards and wage scales on the two sides of the Atlantic and environmental concerns are comparable. Prime Minister John Major of Great Britain and Foreign Minister Klaus Kinkel of Germany have expressed their interest in such a project. A major American initiative would be received as was Gen. George Marshall's speech for European recovery and would almost surely produce a creative response.

In time, NAFTA and the North Atlantic Free Trade Area could be merged, and new consultative machinery in the political and social fields could emerge between the Western Hemisphere and the European Union. As Russia's economy develops and its policy becomes more national, associate membership for it in such a free trade area would be a

distinct possibility—much more so than in NATO.

America should return as quickly as possible to what it has traditionally done best: to put forward its vision for how the nations of the North Atlantic can create a new world worthy of their democratic principles.

HONORING FREEWAY WATCH

Mr. HATCH. Mr. President, I rise to recognize the exemplary service the Freeway Watch Program provides to my home State in preventing freeway tragedy, promoting public safety, and enhancing law enforcement efficiency.

Freeway Watch enhances highway safety by helping the Utah Highway Patrol and other law enforcement agencies identify and remove impaired drivers from Utah's highways. This program trains private citizens who have cellular telephones on how to identify possible drunk or drugged drivers and how to report these drivers to law enforcement agencies. In the 3 months that troopers have been giving classes, more than 1,400 Utahns have been trained in this program.

This program was organized after the tragic death of a Utah teenager. Highland High School student Sean Adkins was helping his friend change a flat tire in the emergency lane of a Salt Lake Interstate on March 1, 1994, when a man with nine prior DUI convictions hit and killed Sean.

The friends who were with Sean that night asked the investigating trooper, Jeff Peterson, what they could do to help combat drunken drivers. Jeff later discussed this conversation with his wife Suzanne. Wanting passionately to make a difference in the war against drunken drivers, Suzanne Peterson teamed up with her friend, Dr. Carol Clark who is executive director of the Utah Science Center Authority, to implement Freeway Watch.

Freeway Watch has brought together many aspects of the business community, law enforcement agencies, and citizen organizations to promote public safety and help law enforcement function more efficiently at no additional taxpayer expense. KSL Radio and Television, US West Cellular, the Utah Highway Patrol, Middlekauff Lincoln Mercury, Les Olson & Co., the Alcohol Policy Coalition, and the Salt Lake County Chapter of MADD have all helped sponsor this program and make it a success.

Mr. President, I bring this program to your attention because I believe that this is an excellent example of the private and public sector working together for the good of our community. It has always been my sincere belief that when a community bonds together, and works for the welfare of all, great things will be accomplished. Many local citizens have demonstrated hard work, initiative, and true community service, and I want to publicly recognize them and sincerely thank them for their exemplary efforts to make the roads in the great State of Utah a safer place for all.

WAS CONGRESS IRRESPONSIBLE? THE VOTERS HAVE SAID YES

Mr. HELMS. Mr. President, as of the close of business yesterday, Thursday, May 11, the Federal debt stood at $4,856,339,258,780.63. On a per capita basis, every man, woman, and child in America owes $18,434.75 as his or her share of that debt.

CONGRATULATING ANGALENA RHUE

Mr. HOLLINGS. Mr. President, I rise to congratulate Angalena Rhue on winning the 1995 President's Service Award, the Nation's highest honor for volunteers. President Clinton presented Ms. Rhue this outstanding award on April 27 for her unselfish commitment to helping hundreds of Charleston area kids stay off drugs.

Angalena Rhue is special in her pursuit because she knows what drug addictions can do to a person. Just 6 years ago, this same woman was a crack cocaine addict. Now, not only has she conquered her addiction, but she has developed a program, ITEC—Infiltrate the Enemy Camp, to ensure that today's youth don't fall prey to the same mistakes.

Angalena is quite a self-starter. What began as a small project in her own community in Summerville has now expanded into three counties to serve low-income children ages 4 through 19. The program builds self-esteem and stresses the importance of staying in school and staying off drugs. ITEC offers afterschool tutoring to children, assistance in job searches, and requires parents to attend sessions to learn positive reinforcement techniques.

Mr. President, I hear a lot of talk about what we, as citizens of the United States, can do to have a positive impact on the next generation, the children of today. I offer Angalena Rhue as a shining example. She has taken what could have been a negative experience, her drug addiction, and turned it into something positive for the children of South Carolina. She will have an immeasurable impact on our society. Through her efforts more children will turn away from drugs and continue their education.

It gives me great pleasure to join the President of the United States in recognizing a fellow South Carolinian for being 1 of 18 volunteers awarded this prestigious honor for truly making a difference in this country.

Recently, the State in South Carolina's capital city, Columbia, recognized Angalena Rhue for her award. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the State, Friday, Apr. 28, 1995]

CLINTON AWARDS SOUTH CAROLINA WOMAN FOR VOLUNTEER WORK

(By Charles Pope)

WASHINGTON.—Six years ago, Angalena Rhue of Summerville was addicted to crack cocaine, caught in a spiral that was dragging her downward.

Thursday, the 38-year-old Rhue was at the White House, receiving an award from President Clinton for not only turning her own life around, but the lives of hundreds of low-income kids in the Charleston area.

Rhue was one of 18 Americans to be awarded the President's Service Award, the nation's highest honor for those who "engage in voluntary community service addressing unmet human needs."

Rhue was selected from 3,000 nominees for founding ITEC—Infiltrate the Enemy Camp. ITEC provides tutoring and assistance to children and parents living in low-income housing projects. What began as a small effort in the Haven Oaks apartments in Summerville after Rhue kicked drugs, has now expanded to four locations in three counties, serving more than 400 children from age 4 through 19.

"It's exciting, it's overwhelming. I thought I was going to faint," said an effervescent Rhue after receiving her silver medallion in a sunsplashed Rose Garden ceremony.

"When we first see these kids, there's a sense of helplessness, and apathy. But now these kids are soaring and there's no holding them back."

In the hourlong ceremony, Clinton praised the volunteers whose work becomes even more important in a time of national crisis.

"Just over a week ago we were reminded that there are those who want to see our nation torn apart," Clinton said. "But amid the grief and the destruction we have also seen how quickly the overwhelming majority of Americans come together to help each other to rebuild and to make this country stronger.

"Today we'll hear stories of ordinary Americans doing extraordinary things.

"They repair our parks and keep our young people out of gangs. They come from all corners of the nation. They are diverse in age and background. Yet they are united by something larger than all of us—the simple desire to fulfill the promise of American life," the President said before awarding the 18 medals.

Rhue's home-grown program is based on restoring self-esteem to children who have few role models and little parental guidance. Her programs require the children to read each day, help them with their homework, provide help finding jobs and reinforce the need to stay in school and avoid drugs.

"I want to save the whole would from drugs," said Rhue, whose job is made easier by her natural affinity to children, her endless energy and her personal experiences.

Rhue also requires parents to attend at least four sessions a year so they can learn how to reinforce the gains their children are making. She also combats verbal abuse that parents direct to their children and instructs parents how to work with teachers so that children get the most out of school.

Rhue's crusade started when she realized she could help and when children started showing up at her doorstep. The manager of her apartment complex soon offered the club house and before the first year ended, 37 kids were coming each day.

Relying on her own instincts, a talent for attracting donations, volunteers and help from such quarters as Clemson Extension

Service and the College of Charleston, her programs have spread to low-income housing projects in North Charleston, the City of Charleston and Moncks Corner. Those four centers serve more than 400 children. Officials in Orangeburg, Columbia and other municipalities in South Carolina have asked her about the program.

And on Thursday, Hillary Clinton told Rhue she would like to come see the program in person.

When Rhue awakes today, she will be able to celebrate her presidential award, and more importantly, an anniversary, Six years ago today, she weaned herself from cocaine.

REPORT OF THE DISTRICT OF COLUMBIA'S 1995 SUPPLEMENTAL BUDGET AND RESCISSIONS OF AUTHORITY REQUEST ACT OF 1995—MESSAGE FROM THE PRESIDENT—PM 48

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Appropriations.

To the Congress of the United States:

In accordance with section 446 of the District of Columbia Self-Government and Governmental Reorganization Act, I am transmitting the District of Columbia's 1995 Supplemental Budget and Rescissions of Authority Request Act of 1995. This transmittal does not represent an endorsement of the contents of the District's budget.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 12, 1995.*

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on May 12, 1995, she had presented to the President of the United States, the following enrolled bill:

S. 244. An act to further the goals of the Paperwork Reduction Act to have Federal agencies become more responsible and publicly accountable for reducing the burden of Federal paperwork on the public, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-911. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of DC Act 11-40, adopted by the Council on April 4, 1995; to the Committee on Governmental Affairs.

EC-912. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of DC Act 11-41, adopted by the Council on April 4, 1995; to the Committee on Governmental Affairs.

EC-913. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of DC Act 11-39, adopted by the Council on April 4, 1995; to the Committee on Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. KASSEBAUM, from the Committee on Labor and Human Resources, with amendments:

S. 141. A bill to repeal the Davis-Bacon Act of 1931 to provide new job opportunities, effect significant cost savings on Federal construction contracts, promote small business participation in Federal contracting, reduce unnecessary paperwork and reporting requirements, and for other purposes (Rept. No. 104-80).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. D'AMATO (for himself and Mr. DODD):

S. 799. A bill to amend the Federal Deposit Insurance Act to exclude certain bank products from the definition of a deposit; to the Committee on Banking, Housing, and Urban Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. D'AMATO (for himself and Mr. DODD):

S. 799. A bill to amend the Federal Deposit Insurance Act to exclude certain bank products from the definition of a deposit; to the Committee on Banking, Housing, and Urban Affairs.

THE BANK INSURANCE FUND AND DEPOSITOR PROTECTION ACT OF 1995

• Mr. D'AMATO. Mr. President, today I am introducing the Bank Insurance Fund and Depositor Protection Act of 1995 with my distinguished colleague from Connecticut, Senator DODD. This bill, which is substantially similar to S. 2548, the bill that Senator DODD and I introduced last October, makes an essential change to the definition of a "deposit" contained in the Federal Deposit Insurance Act. Companion legislation was introduced in the House of Representatives last Wednesday. The House bill, H.R. 1574, was introduced by Representative ROUKEMA and received bipartisan cosponsorship from Representatives MCCOLLUM, VENTO, and KANJORSKI.

This amendment to the Federal Deposit Insurance Act is necessary to address a recent development in the banking industry—the so-called retirement CD. This product, which is essentially a deferred annuity, is offered and underwritten by banks. Senator DODD and I, along with several other Banking Committee members, raised a number of concerns about the retirement CD in a letter to the FDIC and the Comptroller of the Currency last year. Nevertheless, the Comptroller of the Currency and the FDIC have permitted the offering of this investment vehicle, with FDIC insurance protection. In light of this, Congress must act to clarify the law.

Mr. President, we are talking about banks, with little or no annuity underwriting experience, guided simply by computer software, assuming the underwriting risk that is attendant to this insured hybrid investment vehicle. This is not an empty concern—at least three federally insured banks have taken advantage of this breach in the regulatory scheme and are offering this investment vehicle. Allegedly, a number of other federally insured banks are getting ready to do so. And what will happen if these institutions cannot properly manage the underwriting risk? If any of these banks mismanage this risk and fail, the only guaranteed insurer will be the FDIC insurance fund, and ultimately, perhaps, the American taxpayer.

Mr. President, the IRS recently issued a proposed regulation pertaining to the retirement CD's tax-deferred status. Nevertheless, banks may still offer this product, and the integrity of the bank insurance fund must be protected. The fund must not be used as a safety net for untested and uncertain investment vehicles. And that's exactly the risk that this legislation will protect against. This bill precludes the extension of FDIC insurance protection to this bank-underwritten investment vehicle. Nothing more and nothing less. I have carefully considered the arguments offered in support of this product and I remain extremely concerned about the threat this product could pose to the bank insurance fund.

Mr. President, this bill will protect the bank insurance fund against potential losses that are attributable to any retirement CD that has been underwritten by any bank since last October. This bill retains the effective date employed last Congress in S. 2548—October 6, 1994. This effective date is justified, since both industry and the regulators were put on notice of congressional concerns well before that time. Further, this effective date has been retained in fairness to those institutions that deferred to congressional concerns and did not pursue the marketing of this investment product.

Mr. President, this bill was drafted with the intention of avoiding any undesired effects on standard deposit products that banks commonly offer today. For instance, qualified plans and individual retirement accounts are not intended to be covered by this legislation, to the extent that they do not generate depository institution liabilities that constitute annuity contracts. This is the case even if the depository institution liability has tax-deferred

status under section 72 of the Internal Revenue Code.

Mr. President, this bill is being introduced in order to provide further congressional guidance as to the appropriate scope and operation of Federal banking law and the proper use of Federal deposit insurance. This bill makes sense in terms of bank insurance fund protection, safe-and-sound banking practices, and ultimately, taxpayer protection. The bank insurance fund exists to protect the ordinary depositor—it should not be used to give bank-offered financial products a competitive marketing edge. Competitive innovations should always be welcomed, but not the misuse of Federal deposit insurance. I hope my colleagues will support this legislation.•

• Mr. DODD. Mr. President, I am pleased to join with my good friend, Senator D'AMATO to reintroduce important legislation we sponsored last year, the Bank Insurance Fund and Depositor Protection Act of 1995.

This short and simple piece of legislation would prohibit Federal deposit insurance coverage for the so-called retirement CD—a financial product that emerged a little over a year ago from a small corner of the retail banking world. This first of its kind product was cleverly constructed to receive both the benefits of Federal deposit insurance and tax deferral.

Mr. President, as it is currently structured, the retirement should not be insured by the Federal Deposit Insurance Corporation. The retirement CD raises significant policy issues related to consumer protection, safety and soundness, regulatory control, and competitive equity. I believe that if we continue to allow it to proliferate as it is currently structured, the retirement CD could have a tremendously negative impact on consumer confidence in our financial institutions and on the stability of our deposit insurance system.

The policy rationale for eliminating Federal deposit insurance for this product is just as compelling as it was when we last introduced this legislation. There are now a handful of financial institutions actively offering the retirement CD. More are planning to start selling the product in the near future.

I understand that in addition to the Blackfeet National Bank, which first offered the retirement CD, the First National Bank of Sante Fe, NM, and the National Bank of the Commonwealth in Pennsylvania are other insured depository institutions offering the retirement CD. Other institutions have signed licensing agreements to sell the retirement CD or are carefully considering offering it soon.

One year ago, the banking regulators sanctioned the sale of the retirement CD. In separate letters dated May 12, 1994, the Office of the Comptroller of the Currency [OCC] and the Federal Deposit Insurance Corporation [FDIC], stated they had no objection to the sale of the CD by Blackfeet National Bank in Browning, MT.

However, on April 6, 1995, the Internal Revenue Service issued a proposed regulation which effectively eliminates the tax deferral feature of the retirement CD. If this proposed rule becomes final, it will substantially eliminate the most attractive feature of the retirement CD, leaving it essentially with only the characteristics of a regular certificate of deposit. While I applaud the IRS action, their rule is not yet final, and the product may still be sold—although I would hope only with full disclosure to consumers of the pending IRS rule.

Most of my concerns about the retirement CD are described in detail in a June 20, 1994 letter that I and several of my Banking Committee colleagues sent to the OCC and the FDIC.

I will not reiterate all the concerns described in that letter, but will briefly mention a couple of the more troubling issues that arise in connection with the retirement CD.

First, there is enormous potential for customer confusion about the retirement CD's terms and conditions. This product is not a plain vanilla certificate of deposit. It is not a simple annuity. It is a complex newfangled hybrid that has both CD and annuity features.

The retirement CD pays a fixed rate of interest up to 5 years, after which the rate is adjusted at the sole discretion of the bank. This rate is never supposed to fall below 3 percent. Interest ceases to be posted upon maturity. The customer may withdraw up to two-thirds of the balance at maturity, and the remainder will be disbursed in fixed periodic payments for life, incorporating the imputed interest rate.

Consumers must understand that the interest rate is set at the sole discretion of the bank. While there is a 3-percent floor during the period when interest accrues, there is no similar threshold during the payout phase. This raises the prospect that a customer may not know what the imputed rate is tied to, and that the bank could offer a fixed payout at an extremely unfavorable rate.

Second, a consumer must understand that this retirement CD, unlike traditional certificates of deposit, contains a component that is not FDIC insured. FDIC insurance only applies to the balance that is not withdrawn at maturity, less the full dollar amount of any payments received. If a bank that issues a retirement CD fails at a point when the customer had already received the full value of the account through lump-sum distribution and monthly payments, the FDIC would neither insure nor continue to pay the monthly payments for the rest of the customer's life. This is the case despite the fact that the promotional material claims to guarantee payments for life.

Mr. President, at the time they approved the sale of the retirement CD, the regulators expressed many of the concerns I have about the likelihood of customer confusion, the existence of misleading marketing information, and the impact of this product on bank safety and soundness. They outlined these concerns in their respective no objection letters I referred to earlier. However, the regulators chose not to prevent Blackfeet from going forward with the issuance of the retirement CD, as long as the bank complied with a lengthy list of conditions.

Mr. President, I think this was ill-advised. There continues to be strong evidence of substantial customer confusion regarding the insurance status of non-deposit investment products like mutual funds and annuity products being sold by banks and other insured depository institutions. These products are much less complex than the retirement CD. The regulators themselves have helped to collect compelling evidence about the ongoing problem of customer confusion. At a time when we are wrestling with how to eliminate this problem, I find it difficult to understand why the regulators gave their stamp of approval to the sale of this new complex product which can only make a bad situation worse.

Mr. President, for this and many other reasons, the retirement CD as it's currently structured should not be offered by banks to the public. The legislation we are introducing today will exclude the retirement CD from the definition of a deposit under the Federal Deposit Insurance Act. The Retirement CD will therefore not be covered by Federal deposit insurance.

The legislation does not prohibit banks from offering the retirement CD. It simply denies the product deposit status under the Federal Deposit Insurance Act.

The legislation is not intended to eliminate existing levels of deposit insurance coverage to deposit accounts established in connection with certain individual retirement accounts, Keogh plans, eligible deferred compensation plans, pension plans or similar employee benefit plans which may be maintained at an insured depository institution. This legislation eliminates Federal deposit insurance coverage for products which expose the issuing insured depository institution, and ultimately the deposit insurance funds, to liabilities that are annuity contracts and are tax deferred under section 72 of the Internal Revenue Code of 1986.

The provisions of this act do not apply to any liability which is not an annuity contract, whether or not tax deferred under section 72 of the Internal Revenue Code. For example, a liability other than an annuity contract which is part of an individual retirement account would not be affected by the provisions of this act even though

the tax liability is deferred under section 72 of the Internal Revenue Code of 1986 because section 408(D) of the code incorporates section 72 only by reference.

Mr. President, the retirement CD may be cleverly packaged. It may be a tempting new business opportunity for the banking industry. But because it raises serious public policy concerns that have not been fully explored, it must not receive the protection of the Federal safety net. I hope that the Banking Committee will be able to closely examine this matter soon either separately or in the context of financial services modernization.

Mr. President, I ask unanimous consent that additional material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,

Washington, DC, June 20, 1994.

Hon. EUGENE LUDWIG,
Comptroller of the Currency, Office of the Comptroller of the Currency, Washington, DC.

HON. ANDREW C. HOVE,
Acting Chairman, Federal Deposit Insurance Corporation, Washington, DC.

DEAR MR. LUDWIG AND CHAIRMAN HOVE: We are following with great interest and concern the efforts of the Blackfeet National Bank ("Blackfeet") of Browning, Montana to offer to the general public a new "Retirement CD." We are disappointed that the OCC and the FDIC, by separate correspondence dated May 12, 1994, have in effect sanctioned, with certain conditions, plans to market and offer this Retirement CD investment product.

We are very troubled that the OCC and FDIC would react favorably to a product with such enormous ramifications for the banking system, the Bank Insurance Fund, the insurance industry—and, most importantly, for the consumers of financial products—without consultation with Congress and without requesting more specific commitments and information from American Deposit Corp. or Blackfeet.

The Retirement CD product raises a number of significant concerns which we have detailed below. We strongly believe these matters need to be thoroughly addressed by the regulators and Congress before this investment product is offered to the public.

1. CONSUMER PROTECTION ISSUES

The OCC and FDIC letters clearly indicate that both regulators have rather significant reservations about the consumer-protection implications of the Retirement CD. Both letters contain suggestions or conditions aimed at ensuring customer understanding and adequate disclosure. This insured deposit product combines features of both certificates of deposit and annuities, and it is enormously complex. Consumers may not fully comprehend how it works, the interest rate structure or the extent of FDIC insurance coverage.

The Retirement CD will pay a fixed rate of interest for up to five years, after which the rate becomes adjustable until the agreed-upon maturity date. The only assurance given to the consumers with respect to this variable interest rate is that it will be at least 3 percent. Upon maturity, the customer may withdraw up to two-thirds of the account balance, and the remainder of the account will be dispersed for life in fixed payments. These periodic payments incorporate an imputed interest rate. The consumer must understand that the interest rate, during much of the accumulation period (prior to the agreed-upon maturity date) and all of the payout phase, will be determined at the sole discretion of the bank. Furthermore, as we understand this product during the payout phase, there will be no minimum imputed interest rate, similar to the three percent floor in the accumulation phase. This raises an ominous prospect: that a customer will not know exactly what the "imputed" rate is keyed to and that the bank could offer a fixed payout at an extremely unfavorable rate.

As we understand the product, FDIC insurance would only apply to the balance (principal plus accrued interest) that was not withdrawn on the date of maturity, less the full dollar amount of any payments received during the pay-out period. Therefore, a customer would have to understand that if the bank were to fail at a point when the customer had already received the full value of the account through lump-sum distribution and monthly payments, the FDIC would neither insure, nor continue to pay, the monthly payments for the rest of the customer's life.

The OCC and the FDIC have expressed consumer protection concerns with respect to depository institution sales of uninsured non-deposit investment products, such as mutual fund shares. There is evidence that banking consumers do not always understand the simple fact that some of the products that banks offer are not FDIC-insured. With respect to the Retirement CD, we are concerned that consumers will not be able to fully-understand that a product that is called a "certificate of deposit"—a traditional insured deposit product—contains a component that is not FDIC-insured (although we understand that the promotional materials misleadingly "guarantee" payments for life).

Even the regulators seem somewhat uncertain about how the Retirement CD works. The respective letters from the OCC and the FDIC differ in their descriptions of one of the most important basic terms of the product—mainly, at what point the payout is agreed to. The OCC letter states, "*[o]n the maturity date* the customer will select from various options for repayment" (p. 2, emphasis added). The FDIC letter states, "*[u]pon opening the account*, the customer also chooses his/her payout options" (p. 1-2, emphasis added). If the regulators are confused, certainly the potential for consumer confusion is enormous.

We must ask this question: "Do the regulators honestly believe that this product—that contains variable interest rates, certain tax benefits, and partial FDIC-insured deposit status—will not create substantially greater confusion than non-deposit investment products?"

2. REGULATORY ISSUES

Annuties are currently subject to state regulations enforced by state insurance officials. It is unclear if state insurance regulatory requirements will apply to the Retirement CD. Both customers and the bank should know this. If state regulations do not apply, it should be determined whether banks and bank regulators currently have the ability or resources to safeguard these accounts, and what policies and procedures are necessary to train bank personnel about annuities and about appropriate sales practices.

3. SAFETY AND SOUNDNESS ISSUES

Blackfeet and other banks that may offer the Retirement CD clearly will be acting as an underwriter of what is essentially an annuity. Although clever lawyering has gained this annuity product designation as a "deposit", it poses much greater risk to the bank than a traditional deposit. National banks will be assuming an unprecedented and inappropriate risk as a result of having to make a fixed payout for the life of a customer. Ultimately, these payments could exceed the consumer's balance on deposit at maturity. While the OCC suggests that Blackfeet's business plan should indicate how it will manage the risk associated with the annuity payment, the OCC requires no specific showing that the bank has the capability to quantify or manage this long-term liability of unknown proportions.

This "deposit" is structured so that at the date of maturity, the bank must determine the fixed lifetime payout for the customer using a complex and not entirely-discernible process to achieve a proper rate of return. The Congress has opted not to authorize banks to assume the type of risk Blackfeet would assume in offering the Retirement CD, The OCC and the FDIC seem willing to disregard this consistent record of Congressional reluctance to allow federally-insured depository institutions to engage in such high-risk activities. The OCC and FDIC also seem too willing to take it on faith that a small national bank (armed with a software program) will have the business acumen and operational know-how to handle the risk of underwriting this annuity product.

4. COMPETITIVE EQUALITY ISSUES

The proliferation of the Retirement CD will produce an unfair competitive advantage for banks. It is reasonable to expect that consumers will be drawn to a tax-deferred annuity that also offers federal deposit insurance. By allowing national banks to underwrite, market and sell a tax-deferred annuity that is FDIC-insured, the FDIC is granting a substantial competitive advantage over similar annuity products that do not come with a government guarantee.

In expanding future opportunities for all financial service providers and consumers, the Federal government's goal should be to encourage competition on a free and fair basis. Balance sheet strength, customer service and other market-determined characteristics, not market-distorting government guarantees, should determine success. Given the recent savings and loan crisis, and the regulators' concerns over the abuse of deposit insurance, it would seem ill-advised to extend the reach of the federal safety net to a product that raises so many regulatory, competitive and consumer protection concerns.

The OCC and the FDIC have made it very clear that when given the opportunity, they will usually take the most expansive and creative view of bank powers under current law. We strongly support the view that, to the maximum extent possible, an explicit statutory mandate must exist before the regulators authorize expanded powers for banks, or any other financial intermediaries. For this reason, we continue to support comprehensive modernization of our entire financial system. Until this can be accomplished by Congress, we urge the OCC and FDIC to balance the proclivity to expand bank powers through regulatory channels against the legitimate public policy concerns of consumer protection, safety and soundness, and competitive equality. Products

that raise serious public policy concerns deserve great scrutiny, regardless of how cleverly they are packaged or how attractive they may be to the banking industry. The Retirement CD is clearly one such product.

We do not share your view that this product, as it is currently structured, is an appropriate product for national banks to offer to retail customers. Therefore, we are developing, and will soon introduce, legislation to prohibit the sale of this investment product. Pending consideration of this legislation by Congress, we urge the OCC and the FDIC to reconsider their respective positions on the Retirement CD.

Sincerely,

CHRISTOPHER J. DODD,
RICHARD H. BRYAN,
ALFONSE M. D'AMATO,
LAUCH FAIRCLOTH.●

ADDITIONAL COSPONSORS

S. 44

At the request of Mr. REID, the names of the Senator from Oklahoma [Mr. INHOFE] and the Senator from New York [Mr. D'AMATO] were added as cosponsors of S. 44, a bill to amend title 4 of the United States Code to limit State taxation of certain pension income.

S. 388

At the request of Ms. SNOWE, the name of the Senator from Vermont [Mr. JEFFORDS] was added as a cosponsor of S. 388, a bill to amend title 23, United States Code, to eliminate the penalties for noncompliance by States with a program requiring the use of motorcycle helmets, and for other purposes.

S. 534

At the request of Mr. BAUCUS, his name was added as a cosponsor of S. 534, a bill to amend the Solid Waste Disposal Act to provide authority for States to limit the interstate transportation of municipal solid waste, and for other purposes.

S. 585

At the request of Mr. SHELBY, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 585, a bill to protect the rights of small entities subject to investigative or enforcement action by agencies, and for other purposes.

AMENDMENTS SUBMITTED

THE INTERSTATE TRANSPORTATION OF MUNICIPAL SOLID WASTE ACT OF 1995

D'AMATO AMENDMENTS NOS. 878–913

(Ordered to lie on the table.)

Mr. D'AMATO submitted 36 amendments intended to be proposed by him to the bill (S. 534) to amend the Solid Waste Disposal Act to provide authority for States to limit the interstate transportation of municipal solid waste, and for other purposes; as follows:

AMENDMENT NO. 878

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,001 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 879

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,002 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 880

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,003 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 881

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more

than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,004 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 882

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,005 tons or 90 percent of the amount exported to the State in calendar year 1993.

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(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 883

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

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(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

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(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 884

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,007 tons or 90 percent of the amount exported to the State in calendar year 1993.

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(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 885

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

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(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

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(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 886

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

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(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

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(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 887

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

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(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 888

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,011 tons or 90 percent of the amount exported to the State in calendar year 1993.

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(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 889

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,012 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 890

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,013 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 891

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,014 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 892

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,015 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 893

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,016 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 894

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,017 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 895

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,018 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 896

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,019 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 897

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,020 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 898

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,021 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 899

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,022 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 900

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,023 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 901

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,024 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 902

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,051 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 903

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,052 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 904

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,053 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 905

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,054 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,400,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 906

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,055 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 907

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,056 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 908

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,057 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 909

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,058 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 910

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,059 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 911

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,060 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 912

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,061 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 913

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,062 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

DORGAN AMENDMENT NO. 914

Mr. DORGAN proposed an amendment to the bill S. 534, supra; as follows:

On page 49, line 16, insert the following after "thereof)" and before the period: "and any solid waste generated by an industrial facility"

On page 50, strike line 22 and all that follows through page 51, line 2.

D'AMATO AMENDMENT NOS. 915–1069

(Ordered to lie on the table.)

Mr. D'AMATO submitted 155 amendments intended to be proposed by him to the bill S. 534, supra; as follows:

AMENDMENT NO. 915

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,063 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 916

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,064 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 917

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,065 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 918

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,066 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 919

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,067 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 920

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,068 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 921

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,069 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 922

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,070 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 923

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,075 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 924

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,026 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 925

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,027 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 926

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,028 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 927

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,029 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 928

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,030 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 929

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,031 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 930

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,032 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 931

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,033 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 932

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,034 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 933

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,035 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 934

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,036 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 935

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,037 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 936

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,038 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 937

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,039 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 938

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,040 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 939

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,041 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 940

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,042 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 941

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter;

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,043 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 942

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,044 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 943

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,045 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 944

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,046 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 945

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,047 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 946

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,048 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 947

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,049 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 948

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,050 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 949

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more

than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,505,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,405,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,305,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,205,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,105,000 tons.

(VI) In calendar year 2001, 1,005,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 905,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 950

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,510,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,410,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,310,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,210,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,110,000 tons.

(VI) In calendar year 2001, 1,010,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 910,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 951

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,515,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,415,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,315,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,215,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,115,000 tons.

(VI) In calendar year 2001, 1,015,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 915,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 952

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,520,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,420,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,320,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,220,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,120,000 tons.

(VI) In calendar year 2001, 1,020,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 920,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 953

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,525,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,425,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,325,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,225,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,125,000 tons.

(VI) In calendar year 2001, 1,025,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 925,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 954

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,530,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,430,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,330,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,230,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,130,000 tons.

(VI) In calendar year 2001, 1,030,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 930,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 955

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,535,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,435,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,335,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,235,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,135,000 tons.

(VI) In calendar year 2001, 1,035,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 935,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 956

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,540,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,440,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,340,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,240,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,140,000 tons.

(VI) In calendar year 2001, 1,040,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 940,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 957

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,545,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,445,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,345,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,245,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,145,000 tons.

(VI) In calendar year 2001, 1,045,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 945,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 958

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,550,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,450,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,350,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,250,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,150,000 tons.

(VI) In calendar year 2001, 1,050,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 950,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 959

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,555,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,455,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,355,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,255,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,155,000 tons.

(VI) In calendar year 2001, 1,055,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 955,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 960

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,560,000 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,460,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,360,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,260,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,160,000 tons.
(VI) In calendar year 2001, 1,060,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 960,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 961

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,565,000 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,465,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,365,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,265,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,165,000 tons.
(VI) In calendar year 2001, 1,065,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 965,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 962

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,570,000 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,470,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,370,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,270,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,170,000 tons.
(VI) In calendar year 2001, 1,070,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 970,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 963

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,575,000 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,475,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,375,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,275,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,175,000 tons.
(VI) In calendar year 2001, 1,075,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 975,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 964

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,580,000 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,480,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,380,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,280,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,180,000 tons.
(VI) In calendar year 2001, 1,080,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 980,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 965

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,585,000 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,485,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,385,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,285,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,185,000 tons.
(VI) In calendar year 2001, 1,085,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 985,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 966

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter:
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,590,000 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,490,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,390,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,290,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,190,000 tons.
(VI) In calendar year 2001, 1,090,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 990,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 967

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that is not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,595,000 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,495,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,395,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,295,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,195,000 tons.
(VI) In calendar year 2001, 1,095,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 995,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 968

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,500,000 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,400,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,100,000 tons.
(VI) In calendar year 2001, 900,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 700,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 969

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,605,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,105,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,605,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,105,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,855,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,505,000 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,405,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,305,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,205,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,105,000 tons.
(VI) In calendar year 2001, 905,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 705,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,605,000 tons in 1996;
(ii) 3,105,000 tons in 1997;
(iii) 3,105,000 tons in 1998;
(iv) 2,605,000 tons in 1999;
(v) 2,605,000 tons in 2000;
(vi) 2,105,000 tons in 2001;
(vii) 2,105,000 tons in 2002;
(viii) 1,855,000 tons in 2003; and
(ix) 1,855,000 tons in each calendar year after 2003.

AMENDMENT NO. 970

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,610,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,110,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,610,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,110,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,860,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,510,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,410,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,310,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,210,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,110,000 tons.

(VI) In calendar year 2001, 910,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 710,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,610,000 tons in 1996;

(ii) 3,110,000 tons in 1997;

(iii) 3,110,000 tons in 1998;

(iv) 2,610,000 tons in 1999;

(v) 2,610,000 tons in 2000;

(vi) 2,110,000 tons in 2001;

(vii) 2,110,000 tons in 2002;

(viii) 1,860,000 tons in 2003; and

(ix) 1,860,000 tons in each calendar year after 2003.

AMENDMENT NO. 971

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,615,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,115,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,615,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,115,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,865,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,515,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,415,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,315,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,215,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,115,000 tons.

(VI) In calendar year 2001, 915,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 715,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,615,000 tons in 1996;

(ii) 3,115,000 tons in 1997;

(iii) 3,115,000 tons in 1998;

(iv) 2,615,000 tons in 1999;

(v) 2,615,000 tons in 2000;

(vi) 2,115,000 tons in 2001;

(vii) 2,115,000 tons in 2002;

(viii) 1,865,000 tons in 2003; and

(ix) 1,865,000 tons in each calendar year after 2003.

AMENDMENT NO. 972

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,620,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,120,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,620,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,120,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,870,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,520,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,420,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,320,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,220,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,120,000 tons.

(VI) In calendar year 2001, 920,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 720,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,620,000 tons in 1996;

(ii) 3,120,000 tons in 1997;

(iii) 3,120,000 tons in 1998;

(iv) 2,620,000 tons in 1999;

(v) 2,620,000 tons in 2000;

(vi) 2,120,000 tons in 2001;

(vii) 2,120,000 tons in 2002;

(viii) 1,870,000 tons in 2003; and

(ix) 1,870,000 tons in each calendar year after 2003.

AMENDMENT NO. 973

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,625,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,125,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,625,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,125,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,875,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,525,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,425,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,325,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,225,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,125,000 tons.

(VI) In calendar year 2001, 925,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 725,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,625,000 tons in 1996;

(ii) 3,125,000 tons in 1997;

(iii) 3,125,000 tons in 1998;

(iv) 2,625,000 tons in 1999;

(v) 2,625,000 tons in 2000;

(vi) 2,125,000 tons in 2001;

(vii) 2,125,000 tons in 2002;

(viii) 1,875,000 tons in 2003; and

(ix) 1,875,000 tons in each calendar year after 2003.

AMENDMENT NO. 974

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,630,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,130,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,630,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,130,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,880,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,530,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,430,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,330,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,230,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,130,000 tons.

(VI) In calendar year 2001, 930,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 730,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,630,000 tons in 1996;

(ii) 3,130,000 tons in 1997;

(iii) 3,130,000 tons in 1998;

(iv) 2,630,000 tons in 1999;

(v) 2,630,000 tons in 2000;

(vi) 2,130,000 tons in 2001;

(vii) 2,130,000 tons in 2002;

(viii) 1,880,000 tons in 2003; and

(ix) 1,880,000 tons in each calendar year after 2003.

AMENDMENT NO. 975

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,635,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,135,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,635,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,135,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,885,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,535,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,435,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,335,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,235,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,135,000 tons.

(VI) In calendar year 2001, 935,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 735,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,635,000 tons in 1996;
(ii) 3,135,000 tons in 1997;
(iii) 3,135,000 tons in 1998;
(iv) 2,635,000 tons in 1999;
(v) 2,635,000 tons in 2000;
(vi) 2,135,000 tons in 2001;
(vii) 2,135,000 tons in 2002;
(viii) 1,885,000 tons in 2003; and
(ix) 1,885,000 tons in each calendar year after 2003.

AMENDMENT NO. 976

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,640,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,140,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,640,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,140,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,890,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,540,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,440,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,340,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,240,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,140,000 tons.

(VI) In calendar year 2001, 940,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 740,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,640,000 tons in 1996;
(ii) 3,140,000 tons in 1997;
(iii) 3,140,000 tons in 1998;
(iv) 2,640,000 tons in 1999;
(v) 2,640,000 tons in 2000;
(vi) 2,140,000 tons in 2001;
(vii) 2,140,000 tons in 2002;
(viii) 1,890,000 tons in 2003; and
(ix) 1,890,000 tons in each calendar year after 2003.

AMENDMENT NO. 977

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,645,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,145,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,645,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,145,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,895,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,545,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,445,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,340,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,240,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,145,000 tons.

(VI) In calendar year 2001, 945,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 745,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,645,000 tons in 1996;
(ii) 3,145,000 tons in 1997;
(iii) 3,145,000 tons in 1998;
(iv) 2,645,000 tons in 1999;
(v) 2,645,000 tons in 2000;
(vi) 2,145,000 tons in 2001;
(vii) 2,145,000 tons in 2002;
(viii) 1,895,000 tons in 2003; and
(ix) 1,895,000 tons in each calendar year after 2003.

AMENDMENT NO. 978

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,650,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,150,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,650,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,150,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,900,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,550,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,450,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,350,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,250,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,150,000 tons.

(VI) In calendar year 2001, 950,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 750,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,650,000 tons in 1996;
(ii) 3,150,000 tons in 1997;
(iii) 3,150,000 tons in 1998;
(iv) 2,650,000 tons in 1999;
(v) 2,650,000 tons in 2000;
(vi) 2,150,000 tons in 2001;
(vii) 2,150,000 tons in 2002;
(viii) 1,900,000 tons in 2003; and
(ix) 1,900,000 tons in each calendar year after 2003.

AMENDMENT NO. 979

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,655,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,155,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,655,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,155,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,905,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,555,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,455,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,355,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,255,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,155,000 tons.

(VI) In calendar year 2001, 955,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 755,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,655,000 tons in 1996;
(ii) 3,155,000 tons in 1997;
(iii) 3,155,000 tons in 1998;
(iv) 2,655,000 tons in 1999;
(v) 2,655,000 tons in 2000;
(vi) 2,155,000 tons in 2001;
(vii) 2,155,000 tons in 2002;
(viii) 1,905,000 tons in 2003; and
(ix) 1,905,000 tons in each calendar year after 2003.

AMENDMENT NO. 980

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,660,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,160,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,660,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,160,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,910,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,560,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,460,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,360,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,260,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,160,000 tons.

(VI) In calendar year 2001, 960,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 760,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,660,000 tons in 1996;

(ii) 3,160,000 tons in 1997;

(iii) 3,160,000 tons in 1998;

(iv) 2,660,000 tons in 1999;

(v) 2,660,000 tons in 2000;

(vi) 2,160,000 tons in 2001;

(vii) 2,160,000 tons in 2002;

(viii) 1,910,000 tons in 2003; and

(ix) 1,910,000 tons in each calendar year after 2003.

AMENDMENT NO. 981

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,665,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,165,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,665,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,165,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,915,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,565,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,465,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,365,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,265,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,165,000 tons.

(VI) In calendar year 2001, 965,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 765,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,665,000 tons in 1996;

(ii) 3,165,000 tons in 1997;

(iii) 3,165,000 tons in 1998;

(iv) 2,665,000 tons in 1999;

(v) 2,665,000 tons in 2000;

(vi) 2,165,000 tons in 2001;

(vii) 2,165,000 tons in 2002;

(viii) 1,915,000 tons in 2003; and

(ix) 1,915,000 tons in each calendar year after 2003.

AMENDMENT NO. 982

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,670,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,170,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,670,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,170,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,920,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,570,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,470,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,370,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,270,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,170,000 tons.

(VI) In calendar year 2001, 970,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 770,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,670,000 tons in 1996;

(ii) 3,170,000 tons in 1997;

(iii) 3,170,000 tons in 1998;

(iv) 2,670,000 tons in 1999;

(v) 2,670,000 tons in 2000;

(vi) 2,170,000 tons in 2001;

(vii) 2,170,000 tons in 2002;

(viii) 1,920,000 tons in 2003; and

(ix) 1,920,000 tons in each calendar year after 2003.

AMENDMENT NO. 983

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,675,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,175,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,675,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,175,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,925,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,575,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,475,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,375,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,275,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,175,000 tons.

(VI) In calendar year 2001, 975,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 775,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,675,000 tons in 1996;

(ii) 3,175,000 tons in 1997;

(iii) 3,175,000 tons in 1998;

(iv) 2,675,000 tons in 1999;

(v) 2,675,000 tons in 2000;

(vi) 2,175,000 tons in 2001;

(vii) 2,175,000 tons in 2002;

(viii) 1,925,000 tons in 2003; and

(ix) 1,925,000 tons in each calendar year after 2003.

AMENDMENT NO. 984

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,680,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,180,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,680,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,180,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,930,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,580,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,480,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,380,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,280,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,180,000 tons.

(VI) In calendar year 2001, 980,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 780,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,680,000 tons in 1996;

(ii) 3,180,000 tons in 1997;

(iii) 3,180,000 tons in 1998;

(iv) 2,680,000 tons in 1999;

(v) 2,680,000 tons in 2000;

(vi) 2,180,000 tons in 2001;

(vii) 2,180,000 tons in 2002;

(viii) 1,930,000 tons in 2003; and

(ix) 1,930,000 tons in each calendar year after 2003.

AMENDMENT NO. 985

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,685,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,185,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,685,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,185,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,935,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,585,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,485,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,385,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,285,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,185,000 tons.
(VI) In calendar year 2001, 985,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 785,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,685,000 tons in 1996;
(ii) 3,185,000 tons in 1997;
(iii) 3,185,000 tons in 1998;
(iv) 2,685,000 tons in 1999;
(v) 2,685,000 tons in 2000;
(vi) 2,185,000 tons in 2001;
(vii) 2,185,000 tons in 2002;
(viii) 1,935,000 tons in 2003; and
(ix) 1,935,000 tons in each calendar year after 2003.

AMENDMENT NO. 986

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,690,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,190,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,690,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,190,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,940,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,590,000 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,490,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,390,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,290,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,190,000 tons.
(VI) In calendar year 2001, 990,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 790,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,690,000 tons in 1996;
(ii) 3,190,000 tons in 1997;
(iii) 3,190,000 tons in 1998;
(iv) 2,690,000 tons in 1999;
(v) 2,690,000 tons in 2000;
(vi) 2,190,000 tons in 2001;
(vii) 2,190,000 tons in 2002;
(viii) 1,940,000 tons in 2003; and
(ix) 1,940,000 tons in each calendar year after 2003.

AMENDMENT NO. 987

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,695,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,195,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,695,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,195,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,945,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,595,000 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,495,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,395,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,295,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,195,000 tons.
(VI) In calendar year 2001, 995,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 795,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,695,000 tons in 1996;
(ii) 3,195,000 tons in 1997;
(iii) 3,195,000 tons in 1998;
(iv) 2,695,000 tons in 1999;
(v) 2,695,000 tons in 2000;
(vi) 2,195,000 tons in 2001;
(vii) 2,195,000 tons in 2002;
(viii) 1,945,000 tons in 2003; and
(ix) 1,945,000 tons in each calendar year after 2003.

AMENDMENT NO. 988

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,700,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,200,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,700,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,200,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,950,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,000 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,100,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,700,000 tons in 1996;
(ii) 3,200,000 tons in 1997;
(iii) 3,200,000 tons in 1998;
(iv) 2,700,000 tons in 1999;
(v) 2,700,000 tons in 2000;
(vi) 2,200,000 tons in 2001;
(vii) 2,200,000 tons in 2002;
(viii) 1,950,000 tons in 2003; and
(ix) 1,950,000 tons in each calendar year after 2003.

AMENDMENT NO. 989

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,705,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,205,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 1,705,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,205,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,955,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,000 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,705,000 tons in 1996;
(ii) 3,205,000 tons in 1997;
(iii) 3,205,000 tons in 1998;
(iv) 2,705,000 tons in 1999;
(v) 2,705,000 tons in 2000;
(vi) 2,205,000 tons in 2001;
(vii) 2,205,000 tons in 2002;
(viii) 1,955,000 tons in 2003; and
(ix) 1,955,000 tons in each calendar year after 2003.

AMENDMENT NO. 990

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,710,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,210,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,702,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,210,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,960,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,000 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,100,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,710,000 tons in 1996;

(ii) 3,210,000 tons in 1997;
(iii) 3,210,000 tons in 1998;
(iv) 2,710,000 tons in 1999;
(v) 2,710,000 tons in 2000;
(vi) 2,210,000 tons in 2001;
(vii) 2,210,000 tons in 2002;
(viii) 1,960,000 tons in 2003; and
(ix) 1,960,000 tons in each calendar year after 2003.

AMENDMENT NO. 991

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,715,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,215,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,715,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,215,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,965,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,000 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,100,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,715,000 tons in 1996;
(ii) 3,215,000 tons in 1997;
(iii) 3,215,000 tons in 1998;
(iv) 2,715,000 tons in 1999;
(v) 2,715,000 tons in 2000;
(vi) 2,215,000 tons in 2001;
(vii) 2,215,000 tons in 2002;
(viii) 1,965,000 tons in 2003; and
(ix) 1,965,000 tons in each calendar year after 2003.

AMENDMENT NO. 992

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,720,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,220,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,720,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,220,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,970,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,000 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,100,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,720,000 tons in 1996;
(ii) 3,220,000 tons in 1997;
(iii) 3,220,000 tons in 1998;
(iv) 2,720,000 tons in 1999;
(v) 2,720,000 tons in 2000;
(vi) 2,220,000 tons in 2001;
(vii) 2,220,000 tons in 2002;
(viii) 1,970,000 tons in 2003; and
(ix) 1,970,000 tons in each calendar year after 2003.

AMENDMENT NO. 993

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,725,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,225,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,725,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,225,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,975,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,000 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,100,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,725,000 tons in 1996;
(ii) 3,225,000 tons in 1997;
(iii) 3,225,000 tons in 1998;
(iv) 2,725,000 tons in 1999;
(v) 2,725,000 tons in 2000;
(vi) 2,225,000 tons in 2001;
(vii) 2,225,000 tons in 2002;
(viii) 1,975,000 tons in 2003; and
(ix) 1,975,000 tons in each calendar year after 2003.

AMENDMENT NO. 994

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,730,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,230,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,230,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,230,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,980,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,000 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,100,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,730,000 tons in 1996;
(ii) 3,230,000 tons in 1997;
(iii) 3,230,000 tons in 1998;
(iv) 2,730,000 tons in 1999;
(v) 2,730,000 tons in 2000;
(vi) 2,230,000 tons in 2001;
(vii) 2,230,000 tons in 2002;
(viii) 1,980,000 tons in 2003; and
(ix) 1,980,000 tons in each calendar year after 2003.

AMENDMENT NO. 995

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,735,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,235,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,735,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,235,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,985,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,000 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,100,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,735,000 tons in 1996;
(ii) 3,235,000 tons in 1997;
(iii) 3,235,000 tons in 1998;
(iv) 2,735,000 tons in 1999;
(v) 2,735,000 tons in 2000;
(vi) 2,235,000 tons in 2001;
(vii) 2,235,000 tons in 2002;
(viii) 1,985,000 tons in 2003; and
(ix) 1,985,000 tons in each calendar year after 2003.

AMENDMENT NO. 996

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,076 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 997

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,077 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 998

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,078 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 999

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,079 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1000

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,080 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1001

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,081 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1002

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,082 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1003

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,083 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1004

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,084 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1005

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,085 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002, or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1006

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more

than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,086 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1007

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,087 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1008

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,088 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1009

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,090 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1010

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,089 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1011

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,091 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1012

In page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,092 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1013

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,093 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1014

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,094 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1015

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,095 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1016

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,096 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1017

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,097 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,400,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1018

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,098 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,060 tons in each calendar year after 2003.

AMENDMENT NO. 1019

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,099 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1020

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,100 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1021

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,500 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1022

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,501 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1023

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,502 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1024

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,503 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1025

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,504 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1026

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,505 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1027

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,506 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1028

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,507 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1029

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,508 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1030

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,509 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1031

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,510 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1032

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,511 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1033

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,512 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1034

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,513 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1035

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,514 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1036

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,515 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1037

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,516 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1038

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,517 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1039

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,518 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1040

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,519 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1041

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,520 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;

(iii) 3,100,000 tons in 1998;

(iv) 2,600,000 tons in 1999;

(v) 2,600,000 tons in 2000;

(vi) 2,100,000 tons in 2001;

(vii) 2,100,000 tons in 2002;

(viii) 1,850,000 tons in 2003; and

(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1042

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,521 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1043

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,522 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1044

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,523 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1045

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,524 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1046

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,525 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1047

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:
(i) 3,600,000 tons of municipal solid waste in calendar year 1996;
(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;
(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;
(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and
(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.
(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:
(I) In calendar year 1996, the greater of 1,400,526 tons or 90 percent of the amount exported to the State in calendar year 1993.
(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.
(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.
(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.
(V) In calendar year 2000, 1,000,000 tons.
(VI) In calendar year 2001, 800,000 tons.
(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.
On page 38, delete from line 22 to page 39, line 6, and replace with the following:
(i) 3,600,000 tons in 1996;

(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1048

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,527 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1049

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter;

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,528 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1050

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,600,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,100,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,600,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,100,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,850,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,529 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,300,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,200,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,000,000 tons.

(VI) In calendar year 2001, 800,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 600,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,600,000 tons in 1996;
(ii) 3,100,000 tons in 1997;
(iii) 3,100,000 tons in 1998;
(iv) 2,600,000 tons in 1999;
(v) 2,600,000 tons in 2000;
(vi) 2,100,000 tons in 2001;
(vii) 2,100,000 tons in 2002;
(viii) 1,850,000 tons in 2003; and
(ix) 1,850,000 tons in each calendar year after 2003.

AMENDMENT NO. 1051

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,505,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,005,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,505,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,005,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,755,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,400,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,305,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,205,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,105,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,005,000 tons.

(VI) In calendar year 2001, 805,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 605,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,505,000 tons in 1996;
(ii) 3,005,000 tons in 1997;
(iii) 3,005,000 tons in 1998;
(iv) 2,505,000 tons in 1999;
(v) 2,505,000 tons in 2000;
(vi) 2,005,000 tons in 2001;
(vii) 2,005,000 tons in 2002;
(viii) 1,755,000 tons in 2003; and
(ix) 1,755,000 tons in each calendar year after 2003.

AMENDMENT NO. 1052

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,510,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,010,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,510,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,010,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,760,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,410,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,310,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,210,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,110,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,010,000 tons.

(VI) In calendar year 2001, 810,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 610,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,510,000 tons in 1996;
(ii) 3,010,000 tons in 1997;
(iii) 3,010,000 tons in 1998;
(iv) 2,510,000 tons in 1999;
(v) 2,510,000 tons in 2000;
(vi) 2,010,000 tons in 2001;
(vii) 2,010,000 tons in 2002;
(viii) 1,760,000 tons in 2003; and
(ix) 1,760,000 tons in each calendar year after 2003.

AMENDMENT NO. 1053

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,515,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,015,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,515,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,015,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,765,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,415,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,315,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,215,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,115,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,015,000 tons.

(VI) In calendar year 2001, 815,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 615,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,515,000 tons in 1996;

(ii) 3,015,000 tons in 1997;

(iii) 3,015,000 tons in 1998;

(iv) 2,515,000 tons in 1999;

(v) 2,515,000 tons in 2000;

(vi) 2,015,000 tons in 2001;

(vii) 2,015,000 tons in 2002;

(viii) 1,765,000 tons in 2003; and

(ix) 1,765,000 tons in each calendar year after 2003.

AMENDMENT NO. 1054

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,520,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,020,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,520,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,020,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,770,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,420,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,320,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,220,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,120,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,020,000 tons.

(VI) In calendar year 2001, 820,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 620,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,520,000 tons in 1996;

(ii) 3,020,000 tons in 1997;

(iii) 3,020,000 tons in 1998;

(iv) 2,520,000 tons in 1999;

(v) 2,520,000 tons in 2000;

(vi) 2,020,000 tons in 2001;

(vii) 2,020,000 tons in 2002;

(viii) 1,770,000 tons in 2003; and

(ix) 1,770,000 tons in each calendar year after 2003.

AMENDMENT NO. 1055

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,525,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,025,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,525,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,025,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,775,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,425,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,325,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,225,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,125,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,025,000 tons.

(VI) In calendar year 2001, 825,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 625,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,525,000 tons in 1996;

(ii) 3,025,000 tons in 1997;

(iii) 3,025,000 tons in 1998;

(iv) 2,525,000 tons in 1999;

(v) 2,525,000 tons in 2000;

(vi) 2,025,000 tons in 2001;

(vii) 2,025,000 tons in 2002;

(viii) 1,775,000 tons in 2003; and

(ix) 1,775,000 tons in each calendar year after 2003.

AMENDMENT NO. 1056

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,530,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,030,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,530,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,030,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,780,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,430,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,330,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,230,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,130,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,030,000 tons.

(VI) In calendar year 2001, 830,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 630,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,530,000 tons in 1996;

(ii) 3,030,000 tons in 1997;

(iii) 3,030,000 tons in 1998;

(iv) 2,530,000 tons in 1999;

(v) 2,530,000 tons in 2000;

(vi) 2,030,000 tons in 2001;

(vii) 2,030,000 tons in 2002;

(viii) 1,780,000 tons in 2003; and

(ix) 1,780,000 tons in each calendar year after 2003.

AMENDMENT NO. 1057

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,535,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,035,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,535,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,035,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,785,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,435,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,335,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,235,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,135,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,035,000 tons.

(VI) In calendar year 2001, 835,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 635,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,535,000 tons in 1996;

(ii) 3,035,000 tons in 1997;

(iii) 3,035,000 tons in 1998;

(iv) 2,535,000 tons in 1999;

(v) 2,535,000 tons in 2000;

(vi) 2,035,000 tons in 2001;

(vii) 2,035,000 tons in 2002;

(viii) 1,785,000 tons in 2003; and

(ix) 1,785,000 tons in each calendar year after 2003.

AMENDMENT NO. 1058

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,540,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,040,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,540,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,040,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,790,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,440,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,340,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,240,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,140,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,040,000 tons.

(VI) In calendar year 2001, 840,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 640,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,540,000 tons in 1996;

(ii) 3,040,000 tons in 1997;

(iii) 3,040,000 tons in 1998;

(iv) 2,540,000 tons in 1999;

(v) 2,540,000 tons in 2000;

(vi) 2,040,000 tons in 2001;

(vii) 2,040,000 tons in 2002;

(viii) 1,790,000 tons in 2003; and

(ix) 1,790,000 tons in each calendar year after 2003.

AMENDMENT NO. 1059

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,545,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,045,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,545,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,045,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,795,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,445,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,345,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,245,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,145,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,045,000 tons.

(VI) In calendar year 2001, 845,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 645,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,545,000 tons in 1996;

(ii) 3,045,000 tons in 1997;

(iii) 3,045,000 tons in 1998;

(iv) 2,545,000 tons in 1999;

(v) 2,545,000 tons in 2000;

(vi) 2,045,000 tons in 2001;

(vii) 2,045,000 tons in 2002;

(viii) 1,795,000 tons in 2003; and

(ix) 1,795,000 tons in each calendar year after 2003.

AMENDMENT NO. 1060

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,550,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,050,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,550,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,050,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,800,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,450,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,350,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,250,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,150,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,050,000 tons.

(VI) In calendar year 2001, 850,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 650,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,550,000 tons in 1996;

(ii) 3,050,000 tons in 1997;

(iii) 3,050,000 tons in 1998;

(iv) 2,550,000 tons in 1999;

(v) 2,550,000 tons in 2000;

(vi) 2,050,000 tons in 2001;

(vii) 2,050,000 tons in 2002;

(viii) 1,800,000 tons in 2003; and

(ix) 1,800,000 tons in each calendar year after 2003.

AMENDMENT NO. 1061

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,555,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,055,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,555,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,055,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,805,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,455,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,355,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,255,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,155,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,055,000 tons.

(VI) In calendar year 2001, 855,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 655,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,555,000 tons in 1996;

(ii) 3,055,000 tons in 1997;

(iii) 3,055,000 tons in 1998;

(iv) 2,555,000 tons in 1999;

(v) 2,555,000 tons in 2000;

(vi) 2,055,000 tons in 2001;

(vii) 2,055,000 tons in 2002;

(viii) 1,805,000 tons in 2003; and

(ix) 1,805,000 tons in each calendar year after 2003.

AMENDMENT NO. 1062

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,560,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,060,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,560,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,060,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,810,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,460,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,360,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,260,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,160,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,060,000 tons.

(VI) In calendar year 2001, 860,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 660,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,560,000 tons in 1996;

(ii) 3,060,000 tons in 1997;

(iii) 3,060,000 tons in 1998;

(iv) 2,260,000 tons in 1999;

(v) 2,260,000 tons in 2000;

(vi) 2,060,000 tons in 2001;

(vii) 2,060,000 tons in 2002;

(viii) 1,860,000 tons in 2003; and

(ix) 1,860,000 tons in each calendar year after 2003.

AMENDMENT NO. 1063

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,565,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,065,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,565,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,065,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,815,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more

than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,465,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,365,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,265,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,165,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,065,000 tons.

(VI) In calendar year 2001, 865,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 665,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,565,000 tons in 1996;

(ii) 3,065,000 tons in 1997;

(iii) 3,065,000 tons in 1998;

(iv) 2,265,000 tons in 1999;

(v) 2,265,000 tons in 2000;

(vi) 2,065,000 tons in 2001;

(vii) 2,065,000 tons in 2002;

(viii) 1,865,000 tons in 2003; and

(ix) 1,865,000 tons in each calendar year after 2003.

AMENDMENT NO. 1064

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,570,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,070,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,570,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,070,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,820,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,470,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,370,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,270,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,170,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,070,000 tons.

(VI) In calendar year 2001, 870,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 670,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,570,000 tons in 1996;

(ii) 3,070,000 tons in 1997;

(iii) 3,070,000 tons in 1998;

(iv) 2,270,000 tons in 1999;

(v) 2,270,000 tons in 2000;

(vi) 2,070,000 tons in 2001;

(vii) 2,070,000 tons in 2002;

(viii) 1,870,000 tons in 2003; and

(ix) 1,870,000 tons in each calendar year after 2003.

AMENDMENT NO. 1065

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,575,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,075,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,575,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,075,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,825,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,475,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,375,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,275,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,175,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,075,000 tons.

(VI) In calendar year 2001, 875,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 675,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,575,000 tons in 1996;

(ii) 3,075,000 tons in 1997;

(iii) 3,075,000 tons in 1998;

(iv) 2,275,000 tons in 1999;

(v) 2,275,000 tons in 2000;

(vi) 2,075,000 tons in 2001;

(vii) 2,075,000 tons in 2002;

(viii) 1,875,000 tons in 2003; and

(ix) 1,875,000 tons in each calendar year after 2003.

AMENDMENT NO. 1066

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,580,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,080,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,580,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,080,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,830,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,480,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,380,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,280,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,180,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,080,000 tons.

(VI) In calendar year 2001, 880,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 680,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,580,000 tons in 1996;

(ii) 3,080,000 tons in 1997;

(iii) 3,080,000 tons in 1998;

(iv) 2,280,000 tons in 1999;

(v) 2,280,000 tons in 2000;

(vi) 2,080,000 tons in 2001;

(vii) 2,080,000 tons in 2002;

(viii) 1,880,000 tons in 2003; and

(ix) 1,880,000 tons in each calendar year after 2003.

AMENDMENT NO. 1067

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,585,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,085,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,585,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,085,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,835,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,485,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,385,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,285,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,185,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,085,000 tons.

(VI) In calendar year 2001, 885,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 685,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,585,000 tons in 1996;

(ii) 3,085,000 tons in 1997;

(iii) 3,085,000 tons in 1998;

(iv) 2,285,000 tons in 1999;

(v) 2,285,000 tons in 2000;

(vi) 2,085,000 tons in 2001;

(vii) 2,085,000 tons in 2002;

(viii) 1,885,000 tons in 2003; and

(ix) 1,885,000 tons in each calendar year after 2003.

AMENDMENT NO. 1068

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,590,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,090,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,590,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,090,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,840,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,490,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,390,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,290,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,190,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,090,000 tons.

(VI) In calendar year 2001, 890,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 690,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,590,000 tons in 1996;

(ii) 3,090,000 tons in 1997;

(iii) 3,090,000 tons in 1998;

(iv) 2,290,000 tons in 1999;

(v) 2,290,000 tons in 2000;

(vi) 2,090,000 tons in 2001;

(vii) 2,090,000 tons in 2002;

(viii) 1,890,000 tons in 2003; and

(ix) 1,890,000 tons in each calendar year after 2003.

AMENDMENT NO. 1069

On page 34, delete line 18 through page 35, line 2, delete all and replace with the following:

(i) 3,595,000 tons of municipal solid waste in calendar year 1996;

(ii) 3,095,000 tons of municipal solid waste in each of calendar years 1997 and 1998;

(iii) 2,595,000 tons of municipal solid waste in each of calendar years 1999 and 2000;

(iv) 2,095,000 tons of municipal solid waste in each of calendar years 2001 and 2002; and

(v) 1,845,000 tons of municipal solid waste in calendar year 2003 and each year thereafter.

(B)(i) No State may export to landfills or incinerators in any 1 State that are not covered by host community agreements more than the following amounts of municipal solid waste:

(I) In calendar year 1996, the greater of 1,495,000 tons or 90 percent of the amount exported to the State in calendar year 1993.

(II) In calendar year 1997, the greater of 1,395,000 tons or 90 percent of the amount exported to the State in calendar year 1996.

(III) In calendar year 1998, the greater of 1,295,000 tons or 90 percent of the amount exported to the State in calendar year 1997.

(IV) In calendar year 1999, the greater of 1,195,000 tons or 90 percent of the amount exported to the State in calendar year 1998.

(V) In calendar year 2000, 1,095,000 tons.

(VI) In calendar year 2001, 895,000 tons.

(VII) In calendar year 2002 or any calendar year thereafter, 695,000 tons.

On page 38, delete from line 22 to page 39, line 6, and replace with the following:

(i) 3,595,000 tons in 1996;

(ii) 3,095,000 tons in 1997;

(iii) 3,095,000 tons in 1998;

(iv) 2,295,000 tons in 1999;

(v) 2,295,000 tons in 2000;

(vi) 2,095,000 tons in 2001;

(vii) 2,095,000 tons in 2002;

(viii) 1,895,000 tons in 2003; and

(ix) 1,895,000 tons in each calendar year after 2003.

LEVIN (AND ABRAHAM) AMENDMENT NO. 1070

Mr. CHAFEE (for Mr. LEVIN for himself and Mr. ABRAHAM) proposed an amendment to the bill S. 534, supra; as follows:

On page 49, strike lines 1 through 8 and insert:

"(3) The term 'out-of-state municipal solid waste' means, with respect to any State, municipal solid waste generated outside of the State. Unless the President determines it is inconsistent with the North American Free Trade Agreement and the General Agreement on Tariffs and Trade, the term shall include municipal solid waste generated outside of the United States. Notwithstanding any other provision of law, generators of municipal solid waste outside the United States shall possess no greater right of access to disposal facilities in a State than United States generators of municipal solid waste outside of that State.

Mr. LEVIN. Mr. President, I am pleased that the managers of the bill will be able to accept my amendment clarifying what constitutes out-of-State municipal solid waste, cosponsored by Senator ABRAHAM.

S. 534, as reported by the committee, in title I, section (f)(3) on page 49, defines out-of-State municipal solid waste as municipal solid waste [MSW] generated outside of the State. That is pretty clear and unambiguous. There should not be court battles over that definition. If MSW generated in Ohio comes to Michigan for disposal it should be treated as out-of-State MSW, and vice versa. If MSW generated in Canada or any other country comes to Michigan for disposal, it should be treated as out-of-State MSW. That seems pretty clear, too.

But, unfortunately, the bill goes further and muddies the clarity of the definition. The next sentence suggests that waste generated outside the country should somehow be treated differently, in a special category. It suggests that out-of-country waste is only included in the definition of out-of-State municipal solid waste if the President makes a determination that including it will be consistent with NAFTA and GATT. So, if this bill became law, it would seem to require an affirmative determination of consistency by the President before Michigan, and other States receiving out-of-country waste, could actually control this MSW generated outside of their States.

This amendment reverses the presumption in the bill. The bill will now presume that the term "out-of-State municipal solid waste" includes out-of-country waste, unless the President makes a determination that such a definition is inconsistent with our trade agreements and treaty obligations. And, the amendment ensures that out-of-country generators of municipal solid waste will not be treated any better than U.S. generators of such waste when it comes to access to disposal in a State.

Mr. President, waste is waste. If our States and local governments are to adequately manage MSW, all waste must be treated equally. Waste originating in a foreign country is a problem in my home State of Michigan.

The last thing that we should do is give foreign waste any kind of preference. My amendment prevents that from happening.

WARNER AMENDMENT NO. 1071

Mr. CHAFEE (for Mr. WARNER) proposed an amendment to the bill S. 534, supra; as follows:

On page 65, line 6 insert "or related landfill reclamation" after "services."

BREAUX AMENDMENTS NOS. 1072–1073

Mr. CHAFEE (for Mr. BREAUX) proposed two amendments to the bill S. 534, supra; as follows:

AMENDMENT NO. 1072

At the appropriate place, insert the following:

SEC. . STUDY OF INTERSTATE HAZARDOUS WASTE TRANSPORT.

(a) DEFINITION OF HAZARDOUS WASTE.—In this section, the term "hazardous waste" has the meaning provided in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903).

(b) STUDY.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall conduct a study, and report to Congress on the results of the study, to determine—

(1) the quality of hazardous waste that is being transported across State lines; and

(2) the ultimate disposition of the transported waste.

AMENDMENT NO. 1073

At the appropriate place, insert the following:

SEC. . STUDY OF INTERSTATE SLUDGE TRANSPORT.

(a) DEFINITIONS.—In this section:

(1) SEWAGE SLUDGE.—The term "sewage sludge"—

(A) means solid semisolid, or liquid residue generated during the treatment of domestic sewage in a treatment works; and

(B) includes—

(i) domestic septage;

(ii) scum or a solid removed in a primary, secondary, or advanced wastewater treatment process; and

(iii) material derived from sewage sludge (as otherwise defined in this paragraph); but

(C) does not include—

(i) ash generated during the firing of sewage sludge (as otherwise defined in this paragraph) in a sewage sludge incinerator; or

(ii) grit or screenings generated during preliminary treatment of domestic sewage in a treatment works.

(2) SLUDGE.—The term "sludge" has the meaning provided in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903).

(b) STUDY.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall conduct a study, and report to Congress on the results of the study, to determine—

(1) the quantity of sludge (including sewage sludge) that is being transported across State lines; and

(2) the ultimate disposition of the transported sludge.

MCCONNELL AMENDMENT NO. 1074

Mr. CHAFEE (for Mr. MCCONNELL) proposed an amendment to the bill S. 534, supra; as follows:

At the end of the amendment add the following:

TITLE —STATE OR REGIONAL SOLID WASTE PLANS

SEC. 01. FINDING.

Section 1002(a) of the Solid Waste Disposal Act (42 U.S.C. 6901(a)) is amended—

(1) by striking the period at the end of paragraph (4) and inserting "; and"; and

(2) by adding at the end the following:

"(5) that the Nation's improved standard of living has resulted in an increase in the amount of solid waste generated per capita, and the Nation has not given adequate consideration to solid waste reduction strategies.".

SEC. 02. OBJECTIVE OF SOLID WASTE DISPOSAL ACT.

Section 1003(a) of the Solid Waste Disposal Act (42 U.S.C. 6902(a)) is amended—

(1) by striking "and" at the end of paragraph (10);

(2) by striking the period at the end of paragraph (11) and inserting "; and"; and

(3) by adding at the end the following:

"(12) promoting local and regional planning for—

"(A) effective solid waste collection and disposal; and

"(B) reducing the amount of solid waste generated per capita through the use of solid waste reduction strategies.".

SEC. 03. NATIONAL POLICY.

Section 1003(b) of the Solid Waste Disposal Act (42 U.S.C. 6902(b)) is amended by inserting "solid waste and" after "generation of".

SEC. 04. OBJECTIVE OF SUBTITLE D OF SOLID WASTE DISPOSAL ACT.

Section 4001 of the Solid Waste Disposal Act (42 U.S.C. 6941) is amended by inserting "promote local and regional planning for effective solid waste collection and disposal and for reducing the amount of solid waste generated per capita through the use of solid waste reduction strategies, and" after "objectives of this subtitle are to".

SEC. 05. DISCRETIONARY STATE PLAN PROVISIONS.

Section 4003 of the Solid Waste Disposal Act (42 U.S.C. 6943) is amended by adding at the end the following:

"(e) DISCRETIONARY PLAN PROVISIONS RELATING TO SOLID WASTE REDUCTION GOALS, LOCAL AND REGIONAL PLANS, AND ISSUANCE OF SOLID WASTE MANAGEMENT PERMITS.—Except as provided in section 4011(a)(4), a State plan submitted under this subtitle may include, at the option of the State, provisions for—

"(1) establishment of a State per capita solid waste reduction goal, consistent with the goals and objectives of this subtitle; and

"(2) establishment of a program that ensures that local and regional plans are consistent with State plans and are developed in accordance with sections 4004, 4005, and 4006.".

SEC. 06. PROCEDURE FOR DEVELOPMENT AND IMPLEMENTATION OF STATE PLANS.

Section 4006(b) of the Solid Waste Disposal Act (42 U.S.C. 6946(b)) is amended by inserting "and discretionary plan provisions" after "minimum requirements".

CHAFEE (AND BAUCUS) AMENDMENT NO. 1075

Mr. CHAFEE (for himself and Mr. BAUCUS) proposed an amendment to the bill S. 534, supra; as follows:

Delete from page 34, line 5 though page 35, line 2, and replace with the following:

"(3)(A) Except as provided in paragraph (4), any State that imported more than 750,000 tons of out-of-State municipal solid waste in 1993 may establish a limit under this paragraph on the amount of out-of-State municipal solid waste received for disposal at landfills and incinerators in the importing state as follows:

"(i) In calendar year 1996, 95 percent of the amount exported to the State in calendar year 1993;

"(ii) In calendar years 1997 through 2002, 95 percent of the amount exported to the State in the previous year;

"(iii) In calendar year 2003, and each succeeding year, the limit shall be 65% of the amount exported in 1993.

"(iv) No exporting State shall be required under this subparagraph to reduce its exports to any importing state below the proportionate amount established herein."

On page 36, line 12, add "and the Governor of the importing State may only apply subparagraph (A) or (B) but not both" after "facilities".

On page 38, line 2, after "year" insert ", and the amount of waste that was received pursuant to host community agreements or permits authorizing receipt of out-of-state municipal solid waste".

On page 38, line 3, delete "July 1" and insert "May 1".

On page 38, delete from line 17 through page 39, line 6, and replace with the following:

"(C) LIST.—The Administrator shall publish a list of importing States and the out-of-State municipal solid waste received from each State at landfills or incinerators not covered by host community agreements or permits authorizing receipt of out-of-State municipal solid waste."

On page 35, line 20, strike "800,000", replace with "750,000".

On page 35, line 22, strike "600,000", replace with "550,000".

On page 52, strike line 6, insert the following: "sources outside the state.

"(g) IMPLEMENTATION AND ENFORCEMENT.—Any State may adopt such laws and regulations, not inconsistent with this section, as are necessary to implement and enforce this section, including provisions for penalties.".

D'AMATO AMENDMENT NO. 1076

Mr. CHAFEE (for Mr. D'AMATO) proposed an amendment to the bill, S. 534, supra; as follows:

Page 64, line 3, insert the following as letter (f) and reletter subsequent paragraphs accordingly:

(f) STATE-AUTHORIZED SERVICES AND LOCAL PLAN ADOPTION.—A political subdivision of a State may exercise flow control authority for municipal solid waste and for recyclable material voluntarily relinquished by the owner or generator of the material that is generated within its jurisdiction if, prior to May 15, 1994, the political subdivision—

(1) had been authorized by State statute which specifically named the political subdivision to exercise flow control authority and had implemented the authority through a law, ordinance, regulation, contract, or other legally binding provision; and

(2) had adopted a local solid waste management plan pursuant to State statute and was required by State statute to adopt such plan in order to submit a complete permit application to construct a new solid waste management facility proposed in such plan; and

(3) had presented for sale a revenue or general obligation bond to provide for the site selection, permitting, or acquisition for construction of new facilities identified and proposed in its local solid waste management plan; and

(4) includes a municipality or municipalities required by the State law to adopt a local law or ordinance to require that solid waste which has been left for collection shall be separated into recyclable, reusable or other components for which economic markets exist; and

(5) is in a State that has aggressively pursued closure of substandard municipal landfills, both by regulatory action and under statute designed to protect deep flow recharge areas in countries where potable water supplies are derived from sole source aquifers.

COATS AMENDMENT NO. 1077

Mr. COATS proposed an amendment to the bill, S. 534, supra; as follows:

On page 52, between lines 10 and 11 insert the following:

"SEC. 102. NEEDS DETERMINATION.

The Governor of a State may accept, deny or modify an application for a municipal solid waste management facility permit if—

"(1) it is done in a manner that is not inconsistent with the provisions of this section;

"(2) a State law enacted in 1990 and a regulation adopted by the Governor in 1991 specifically requires the permit applicant to demonstrate that there is a local or regional need within the State for the facility; and

"(3) the permit applicant fails to demonstrate that there is a local or regional need within the State for the facility.".

ADDITIONAL STATEMENTS

CONSUMER PRODUCTS SAFETY COMMISSION CUTBACKS A THREAT

• Mr. BREAUX. Mr. President, on behalf of my colleague, Senator JOHNSTON and myself, I ask that an article printed in the New Orleans Times-Picayune be printed in the CONGRESSIONAL RECORD.

We found the discussion of the U.S. Consumer Product Safety Commission very interesting and wanted to share these informative comments with our colleagues.

The article follows:

CUTBACKS TO CPSC THREATEN US ALL

Today in Washington, D.C., the U.S. Consumer Product Safety Commission is conducting a conference titled "Safety Sells." The one-day event features business executives who will "highlight product safety as an emerging business trend."

In a press release describing the event, the commission said executives from Toys R Us, Hasbro Inc., Proctor & Gamble Co. and Volvo "will discuss how they have improved their competitive positions by selling safety."

In the case of Volvo, that's certainly true. Its promotions appeal to the growing number of car buyers, who intelligently shop for safer cars, armed with Consumer Reports or the "Car Book," by Jack Gillis.

But toys? There are no books or magazines that list the safe ones and the dangerous ones to avoid. And the steady infusion of imported toys, made in countries that do not have safety standards as rigid as ours, routinely pass undetected through customs, filling the marketplace with unsafe products for children.

We're talking about toys with excessive amounts of lead or small parts that can

choke children, bunk beds that fall apart, etc. Their existence is why a significant portion of this column is routinely given to warning readers about recalls.

Imported toys can be bought cheaply and sold at huge profits. And even if there's a recall, the companies know that most buyers will never find out about it and, therefore, their profits will remain high.

One of our best defenses against unsafe products is the U.S. Consumer Product Safety Commission, the only federal agency that identifies and acts on a wide range of product safety hazards, from toys to bikes to household products.

Unfortunately, the current trend for "less government interference" could seriously undermine the commission's much-needed work if it results in additional cutbacks to this important consumer watchdog. If that were to happen, the only beneficiary would be the corporations that profit from unsafe products.

During the Reagan administration, the commission's budget and staff were cut in half. Then, as now, it operates on a $42-million annual budget—not much for a major federal agency that addresses the hazards in our lives. Consider these facts from the commission:

Unintentional injury is the leading cause of death among people under 45 years old and is the fourth leading cause of death in the nation.

More children die from injuries than from diseases.

There are 21,700 deaths and 28.6 million injuries each year related to consumer products under commission jurisdiction.

The deaths, injuries and property damage associated with consumer products cost the nation about $200 billion annually. Consumer product injuries account for one out of every six hospital days in this country.

The commission is the only agency addressing product safety and health hazards for more than 15,000 consumer products.

What's more, the money used to support the commission gives an excellent return. Every dangerous product removed from the marketplace prevents an increase in the national health care bill.

On the local level, I have nothing but high praises for Sonny Sturdivant and Sidney Englander, the CPSC field inspectors, who are invaluable sources of help for this column and to the residents in this area.

If potential cutbacks to the commission worry you, as it does me, you may want to contact your representatives in Washington and let your feelings be known.●

COMMEMORATING THE 47TH ANNIVERSARY OF ISRAEL'S INDEPENDENCE

● Mr. BRADLEY. Mr. President, I rise today to mark a joyous event, the founding of the State of Israel on May 14, 1948. From its near-miraculous beginnings as a country born in strife, Israel enters its 48th year a prosperous and vigorous democracy.

With the hyperinflation of the 1980's a distant memory, Israel enjoys stable economic growth with moderate inflation. Israel's economic problems are now the challenges of any developed country—generating and distributing wealth. As the circle of peace in the region expands, Israel will find itself well-placed to be a major regional economic power.

Israel has renewed itself as the homeland of the Jewish people by successfully managing its latest "aliyah," the absorption of Jews from the Soviet Union and its successor states. Both the infusion of new blood, and the national effort to welcome and absorb over half a million new citizens has reinvigorated the nation, while educating a new generation on the special responsibilities and benefits of life in Israel.

Among the greatest of those responsibilities and benefits is the nurturing of a democracy that is the envy, not only of the Middle East, but of the world. To an extent perhaps matched only by the United States, Israel has welded diverse peoples into a democratic society. Israel understands the lesson so eloquently taught by former Jerusalem mayor Teddy Kollek that democracy is more than elections. Democracy is a way of thinking, a way of acting and, most of all, a way of treating one's neighbor. The world has much to learn from Israel's successful experiment in representative democracy in an often harsh environment.

Israel marks its 47th birthday closer to lasting peace than ever before. As a result of the warm peace with Jordan, Israelis are finally visiting the legendary red rocks at Petra. As a result of the multilateral peace negotiations, Israel is normalizing relations with Arab states in North Africa and the Persian Gulf.

Israel is also inching closer to peace with its Palestinian and Syrian neighbors. However, as Israelis above all peoples understand, peace never comes cheaply, and Israel is facing a historic challenge as it tries to conclude genuine peace in the face of terrorism.

All of us grieve with Israel every time another terrorist atrocity is perpetrated. All of us pray with Israel that the leaders and peoples of the Middle East, and those of us who support them, will find the wisdom to steer a path through the shoals of violence to a lasting peace.

The United States Government and individual Americans have an important role to play in supporting Israel, its people, and its leadership, in making the hard decisions necessary for peace. I am proud of the record of the United States Senate in providing unstinting support of Israel, and I will be proud to continue that record.

I am particularly proud of the contributions of citizens of my own State of New Jersey to Israel's development. These are people like Miles Lerman, active in fundraising and philanthropy for Israel, and the man most responsible for the Holocaust Museum in Washington, who form the unshakable foundation of America's unwavering support for Israel.

Israel today is 47 years strong. I know I speak for the people of New Jersey, and the United States, when I wish her peace and continued prosperity.●

ORDER OF PROCEDURE

Mr. CHAFEE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZING 1995 SPECIAL OLYMPICS TORCH RELAY THROUGH CAPITOL GROUNDS

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of House Concurrent Resolution 64, just received from the House.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 64) authorizing the 1995 Special Olympics torch relay to be run through the Capitol Grounds.

There being no objection, the Senate proceeded to consider the concurrent resolution.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

So the concurrent resolution (H. Con. Res. 64) was agreed to.

Mr. DOLE. Mr. President, I ask unanimous consent that the motion to reconsider be laid upon the table and that any statements relating to the resolution be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR MONDAY, MAY 15, 1995

Mr. DOLE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 9:30 a.m. on Monday, May 15, 1995; that following the prayer, the Journal of proceedings be deemed approved to date, no resolutions come over under the rule, the call of the calendar be waived, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DOLE. Mr. President, for the information of all Senators, at 9:30 a.m. on Monday morning, it will be the intention of the majority leader to turn to the consideration of calendar No. 101, S. 395, relative to Alaska power.

For the information of all Senators, an agreement was reached with respect

to final consideration of S. 534, the Solid Waste Disposal Act, which will precipitate a rollcall vote as early as 10:30 a.m. on Tuesday, May 15. Additional votes are expected prior to our scheduled 12:30 recess on Tuesday.

I think it is fair to say rollcall votes can be expected on Monday also. So I alert all Senators that on Monday we expect to have votes. We would like to finish S. 395 on that day. And the vote could be on that date, on Monday, with respect to the motion to proceed to the bill or amendments relative to the Alaska Power Administration bill.

ORDER FOR ADJOURNMENT

Mr. DOLE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that after I conclude my remarks, the Senate stand in adjournment under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET

Mr. DOLE. Mr. President, in January 1961, Dwight Eisenhower gave his last speech as President to the American people.

And in those remarks, Ike offered some advice which should be remembered by all of us in the Senate—and all Americans—as the Federal budget moves to the top of our agenda in the coming weeks.

Eisenhower said, and I quote:

> As we peer into society's future, we must avoid the impulse to live only for today, plundering for our own ease and convenience the precious resources of tomorrow. We cannot mortgage the material assets of our grandchildren without risking the loss also of their political and spiritual heritage. We want democracy to survive for all generations to come, and not to become the insolvent phantom of tomorrow.

It has now been over 34 years ago since President Eisenhower spoke those words. And as everyone here knows, they are words that have been tragically ignored. When Ike left the White House, our national debt stood at approximately $248 million—$248 million. Today, it is $4.8 trillion. And it continues to grow by $355,000 each and every minute—that is $482 million a day—far more than our entire debt in 1961.

There can be no getting around the fact, Mr. President, that America is at a crossroads, and we face a choice.

Down one road is the status quo.

It is a road that means living for today, plundering the resources of tomorrow.

It is a road that means we continue to mortgage the assets of our children and grandchildren.

It is a road that sentences our country to the future that Eisenhower foresaw—a future as an insolvent phantom.

This is a very easy road to take, because it involves no tough decisions, and no leadership of any kind.

And it is the road recommended by President Clinton, and by many of my friends on the other side of the aisle.

Down the other road is change.

A road that means reversing the spending patterns of the last three decades.

A road that means reducing the rate of growth of Government spending.

A road that allows Congress to rein in the Federal Government, and to return power to the States and more importantly to the people.

It is a road that will be very bumpy, because it will require some tough, tough, tough decisions.

It is a road that requires leadership—leadership that House and Senate Republican majorities are willing to provide.

It is a road that we must take, because it is a road that will result in a stronger America for our children and our grandchildren.

And thanks to the courage and hard work of Chairman DOMENICI, and his fellow Republicans on the Senate Budget Committee, we now have a map which will help guide us down this road.

In developing a historic budget that slows the growth in Federal spending from 5 to 3 percent a year, and that achieves a balanced budget within 7 years, Senator DOMENICI and the Budget Committee deserve the gratitude of all Americans.

The Domenici budget reflects our commitment to the American people to rein in the Federal bureaucracy. It eliminates more than 140 Federal departments, agencies, and programs—including the Department of Commerce. In doing so, it moves power out of Washington, and back to the people, where it belongs.

The Domenici budget reflects our commitment to keep Americans safe. It maintains funding for the FBI, the DEA, the INS, and for crime-control initiatives that aid police on the front lines in the war against crime.

The Domenici budget reflects our commitment to protect Social Security, and to preserve, improve, and protect Medicare.

And it reflects our commitment to maintain a safety net for those in true need, by funding WIC, School Lunch and Breakfast Programs, Head Start, child care, and efforts to track down deadbeat dads.

Senator DOMENICI should also be congratulated for keeping the majority members together in defeating Democrat amendments to raise taxes, cut defense, or spend more money.

Is the Budget Committee proposal perfect? Of course not. Every Senator—including this one—could find some program they thought needed more money, or others that needed less. But it is a historic document that truly sets America in the right direction.

And I might add that, according to this morning's newspapers, the world agrees with that statement. These press reports suggest that because of speculation we actually might do more than we have in the past to cut the deficit, the dollar staged its biggest 1-day rally in nearly 4 years.

Apparently, this news slipped by the Clinton administration. Despite the Vice President's promise a few months ago that—and I quote: "We think the task of balancing the budget is one that we have to actually take responsibility for ourselves," notwithstanding that quote, the White House has chosen to abdicate a leadership role in reducing our deficit.

The budget they proposed earlier this year, is one that would give us deficits of $300 billion for as far as the eye can see.

Mr. President, the new Republican Congress promised to make the tough decisions. We promised to fight the status quo. We promised to stand for real change. We promised to balance the budget. And as this budget proves, we are keeping our promises.

And make no mistake about it, at the same time we are balancing the budget, we will also keep our promise to provide real tax relief to America's families.

Let me close, Mr. President, by warning the American people that in the coming weeks, President Clinton and his administration will be trotting out the same old scare tactics they tried before last November's election.

We will hear them say that Republicans are heartless. We will hear them say that Republicans want to help the rich, and harm those in need. We will hear them say that we are targeting children and seniors. We will see them throw a lot of rocks at Republicans. But I am afraid what we will not see from them is leadership.

While they engage in class warfare, the Republican Congress will continue to declare war against the deficit. And with the support of the American people, it is a war that we will win.

ADJOURNMENT UNTIL 9:30 A.M., MONDAY, MAY 15, 1995

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment.

There being no objection, the Senate, at 4:24 p.m., adjourned until Monday, May 15, 1995, at 9:30 a.m.

EXTENSIONS OF REMARKS

THE 50TH ANNIVERSARY OF V–E DAY

HON. MARTIN R. HOKE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. HOKE. Mr. Speaker, just a few days ago we celebrated the 50th anniversary of V–E Day, signifying the defeat of Nazi Germany. But as we celebrate the end of the Second World War we must remember that we are approaching another milestone, the 50th anniversary of the birth of the nuclear age.

On July 16, 1945, at Alamogordo, NM, a small group of scientists and soldiers witnessed the detonation of a primitive implosion "Fat Man" type bomb. This was the Trinity test, the first nuclear weapons test ever conducted.

In the decades since the Trinity test we have seen the other great powers—the Soviet Union, China, Great Britain, and France—develop and deploy nuclear weapons. During the cold war the Soviet Union, with its ability to turn America into a nuclear wasteland, was the singular threat to the United States.

However, the collapse of the Soviet Union and the end of the cold war has not seen the end of the nuclear threat against the United States. Indeed, although the threat of a massive nuclear attack on the United States has receded, the possibility of one or more nuclear weapons being used against American military forces overseas or even on an American city has grown significantly.

We as a nation have only a limited number of recourses to stem the growing worldwide nuclear threat. First, we must act aggressively to stem the proliferation of nuclear weapons and ballistic missile technology. This entails not only seeking the extension of passive international agreements such as the Nuclear Non-Proliferation Treaty, but for the negotiation and rigid enforcement of international nuclear and missile technology control regimes.

Further, we must act to isolate and defang those nations that through their possession of or attempts to gain nuclear and missile technology pose serious threats to international peace.

We absolutely must develop and deploy a ballistic missile defense system that will not only protect American troops overseas but that will also protect the American people in their homes and at their workplaces from the threat of a nuclear attack with ballistic missiles. Indeed, I have personally urged Secretary of Defense William Perry to make ballistic missile defense the highest priority within the defense budget.

But most importantly, the United States must maintain its nuclear deterrent. To date, no nation has been able to ignore the possibility of its destruction by an American retaliation triggered by the use of nuclear weapons against the United States or its allies.

Of course, the size of America's nuclear deterrent can and will shrink as the strategic arms reduction treaties are fully complied with. But while the START treaties have called for significantly lower nuclear arsenals for the United States and Russia, they cannot and do not pretend to put the nuclear genie back in the bottle.

Even with fewer nuclear weapons the United States must maintain the integrity of its nuclear deterrent and must maintain the ability to modernize and replace its existing nuclear weapons systems as they age. Since 1977 the Department of Energy has been responsible for safeguarding these capabilities, but under the current administration it has failed to adequately meet the minimum requirements of maintaining the operational readiness of our nuclear weapons stockpile.

Nuclear testing has been instrumental to the United States' nuclear deterrent by: first, testing or verifying new scientific principals and theoretical calculations; second, proving the engineering, fabrication and integration of components; and third, obtaining information on the effects of weapons for scientific and military purposes. The Clinton administration has unilaterally extended a moratorium on nuclear weapons testing and ceased nuclear weapons research and development, thus allowing a level of uncertainty to creep into the safety, reliability, and performance of our nuclear weapons.

The administration established the Stockpile Stewardship Program to explore means other than nuclear testing—such as by computer modeling—to maintain confidence in the safety, reliability, and performance of nuclear weapons, and to ensure that the United States' capability to produce nuclear weapons will not disappear. While the Stockpile Stewardship Program may eventually produce useful results, it is a highly risky strategy because much of the program is based upon the development of advanced computer and other technologies that may not be achieved.

Furthermore, according to senior officials within the Energy and Defense Departments, the research conducted under the Stockpile Stewardship Program is underfunded by at least $400 million annually. This funding deficiency is seriously eroding the United States' ability to maintain the complex scientific and industrial base necessary to maintain a safe and reliable nuclear deterrent. The lack of new design work means that no new systems will be available to replace older weapons systems, and that maintaining the irreplaceable base of specialized scientists and technicians which make up the weapon design team will become difficult, if not impossible.

Thus, I am introducing legislation today that calls for the termination of the Department of Energy's oversight of the United States' defense-related nuclear infrastructure and establishes a civilian-controlled Department of Defense associated agency—the Defense Nuclear Programs Agency [DNPA].

The DNPA will assume responsibility for all national security functions of the Department of Energy, including defense, nonproliferation, and defense-related environmental management programs. The DNPA will also assume direct oversight of the defense and nondefense functions and budgets of the Lawrence Livermore, Los Alamos, and Sandia National Laboratories. In addition, several Defense Department functions will be transferred to the DNPA.

The Administrator of the DNPA, who must be a civilian, will function under the direction of the Secretary of Defense, and will also serve as the principal advisor to the President and the Secretary of Defense on defense nuclear programs matters. This structure will ensure continued civilian control and management of the nuclear weapons infrastructure, and will also ensure that this infrastructure and the armed services have a more efficient and responsive relationship.

This legislation fully conforms with the 104th Congress' desire to eliminate the Department of Energy by terminating DOE's management of defense nuclear programs and establishing an organization that will ensure that the United States' nuclear deterrent remains effective.

HONORING MSGR. JOHN J. DOHERTY

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. ENGEL. Mr. Speaker, 1995 makes two major milestones in the life of Msgr. John Doherty. On January 27, he celebrated his 15th anniversary in the priesthood and on June 25, he will celebrate his farewell mass at Saint Gabriel's Parish, located in my congressional district.

What stands out most about Monsignor Doherty is not only his commitment to his faith but his commitment to his community. The Monsignor was a founding member and for 14 years, a member of the board of directors of the Northwest Bronx Community and Clergy Coalition, a neighborhood activist group, credited with the rehabilitation of the Bronx, restoring financial reinvestment by banks and insurance companies and the rebuilding of scores of homes and apartment houses in the north Bronx.

Monsignor Doherty has been the recipient of the Riverdalian of the Year Award from the Riverdale Community Council, the Good Neighbor Award from Neighborhood House as well as numerous citations from the New York State Legislature and the New York City Council. Monsignor Doherty also honored us by offering the opening prayer for a session of the U.S. House of Representatives.

I join with the people of the Bronx in honoring Msgr. John Doherty and thank him for his years of service.

FRANK SCHUBERT HONORED FOR CONTRIBUTIONS TO LABOR

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to Mr. Frank Schubert, a labor leader in northeastern Pennsylvania. Mr. Schubert will be honored by the Northeast Alliance of AFL–CIO Retirees on May 11, 1995 for his outstanding contributions to labor.

Since 1974, Frank has been director of District Council 87 of Pennsylvania's largest AFL–CIO public employee and health care worker's labor union, the American Federation of State, County and Municipal Employees or AFSCME.

AFSCME District Council 87 represents more than 5,000 public employees and health care workers in northeastern Pennsylvania. Mr. Schubert has served on the negotiations committee and the statewide safety committee since 1975. Frank also serves on the advisory committee of the Greater Wilkes-Barre Central Labor council.

Frank is a member of the board of trustees of the Pennsylvania Public Employees Benefits Trust fund and a past labor representative on the Pennsylvania Health Care Cost Containment committee.

Mr. Schubert's leadership in the labor movement has been evident during the 8 years that he served as a vice-president of the Pennsylvania AFL–CIO, and as a member of the executive committee of the Scranton Lackawanna Labor Management Committee. Also, for 8 years, he served as an executive board member of the greater Scranton Central Labor Council. He served as trustee of the Pennsylvania Public Employees Health and Welfare fund, and a trustee of the AFSCME Health and Welfare fund. Prior to his present position, Schubert was an AFSCME international staff representative.

Mr. Speaker, the accomplishments listed here are a testament to the dedication this man has shown to the members of the AFSCME and the causes of the labor movement.

I join with his friends, family and the community in thanking Frank Schubert for his leadership and am proud to commend him on a job well done.

TRIBUTE TO PANAMAX

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Ms. WOOLSEY. Mr. Speaker, I rise today to recognize and celebrate the 20th anniversary of Panamax of San Rafael. Panamax, the country's foremost designer and manufacturer of power protection equipment, is deserving of special congressional recognition. What started out as a one-room, single-employee operation has become a multimillion-dollar enterprise that provides employment opportunities to over 100 individuals. Panamax has been a strong supporter of small business and has a record of hiring employees from the Sixth Congressional District.

Panamax has earned a reputation for innovation and service to producers and users of a wide variety of high-technology equipment. The company has developed an important niche in the area of devices that provide protection from power surges and spikes. It also provides a complete guaranty on every unit produced.

Panamax has strongly supported international trade and has substantially expanded its trade with Canada, Mexico, and other Latin America countries. The company is currently preparing to expand further to the Pacific Rim countries.

Mr. Speaker, it is my great pleasure to pay tribute and congratulate Panamax as they mark two decades of service. I am very proud to be representing such a fine company in Congress. I extend my best wishes to Henry Moody, and the Panamax family, for continued success in the years to come.

A TRIBUTE TO PHIL MAROOT

HON. CALVIN M. DOOLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. DOOLEY. Mr. Speaker, I rise today to recognize and honor K. Phillip Maroot, of my hometown of Hanford, CA, who is being honored today by the Hanford Chamber of Commerce as its 1994 Distinguished Citizen for his many years of service to his community.

Phil Maroot is an attorney who has practiced in Hanford for more than 30 years, first as a Kings County assistant district attorney, then in private practice, where he is a partner in the law firm of Maroot, Hardcastle, Hatherly. While Phil has developed a successful law practice, he has contributed countless hours to improving his community.

Phil has been very involved with our local schools, serving on the Hanford Elementary School District board of trustees, on the Hanford High School District budget and curriculum committee, and as president of the College of the Sequoias Foundation.

Phil's community service has also extended to serving as president of the Rotary Club of Hanford, vice president of the Hanford chapter of the American Cancer Society, president of the Kings County Bar Association, and board member for the Kings County Salvation Army.

Phil has long been active in the Hanford Chamber of Commerce, serving a term as president, and also chairing task forces on the restoration of Hanford's 100-year-old courthouse and the carousel in Courthouse Park. For the past 8 years, he has chaired the Visitor Agency advisory board, where he is also chairman of its downtown hotel development project.

Phil Maroot's Kings County roots run deep. Born in Corcoran, Phil is the son of the late John Maroot, a former member of the Kings County board of supervisors. He graduated from Corcoran High School, where he was student body president, earned his bachelor's degree at Pomona College, and graduated from Stanford Law School in 1957. Upon graduation, he served as an Army officer before joining the Kings County district attorney's office in 1964.

Phil's wife, Jeannette, is the owner of Carlson-Wagonlit United Travel Agency in Hanford. The Maroots raised two children, Greg an Becky.

Phil Maroot's long and varied record of service to his community has truly earned him the title "Distinguished Citizen."

Please join me, Mr. Speaker and my colleagues, in honoring Phil Maroot.

ILLEGAL IMMIGRATION

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mrs. ROUKEMA. Mr. Speaker, I rise to call attention to last night's "48 Hours" broadcast on CBS regarding immigration.

If any of us had any doubts about the blight of illegal immigration that is plaguing this Nation, they were most certainly set aside by last night's well-documented television coverage. This program clearly illustrated that our borders are quite obviously no longer under control. Instead, immigration is out of control in this country. We are already at a point of crisis and the problem grows daily. I cannot understand why the American people—the legitimate, legal, native-born or legally naturalized American people—are not in revolt over this issue. Illegal immigration takes jobs away from Americans, takes additional taxes out of American pockets, crowds American schools and hospitals, and contributes to the crime that makes Americans afraid to walk their own streets. We may not have an all out revolt just yet, but I believe that anger over this issue was one of the factor's in last fall's election results. We in Congress should take heed because we have been derelict in our responsibility on this issue.

Last night's program cited many examples of the costs of illegal immigration. I will repeat but a few of them here:

Despite all our attempts to be certain that illegal immigrants are excluded from employment, there are loopholes in our laws that permit U.S. companies to fire American workers and replace them with temporary foreign workers. Corporate downsizing is one thing but firing American citizens in order to replace them with foreigners willing to work for a lower wage is another. I was particularly shocked to learn that a New Jersey company, the AIG insurance company in Livingston, has participated in this practice.

For two centuries, our Constitution has guaranteed citizenship to anyone born on our soil. But illegal immigrants have found a way to abuse this right: Pregnant women cross the border into the United States as illegals, give birth to a child and then claim the right to immigrate legally based on the citizenship of that child. Some 40 percent of children born in

California are now born to parents who are illegal aliens. This is an outrageous abuse not only of our Constitution and legal system, but of the innocence of childhood as well. This end-run around the Constitution was not the intent of the Founding Fathers and we must find a way to stop it. The birth of these children not only circumvents our law, but results in huge medical costs for the hospital care of the mothers and their children. These costs are not covered by insurance and ultimately drive up the cost of insurance premiums for American citizens.

Education is another issue involving the children of illegal immigrants. When illegal aliens are enrolled in public schools, costs go up but tax revenue does not—illegal parents don't pay taxes. This results in overcrowding of schools and, ultimately, higher taxes for taxpaying citizens. In some border communities, as many as 40 percent of school enrollments come from illegal aliens.

Crossing our borders illegally is not the only crime committed by some illegal aliens. Thousands turn out to be criminals come to prey on American citizens. This not only increases fear and reduces safety, but runs up exorbitant costs when these criminals are caught, convicted, and housed in U.S. prisons.

The Immigration and Naturalization Service has been hampered by incompetence, inefficiency, and indifference. The inability of this agency to do its job has become common knowledge, to the point that it is no longer a serious deterrent to attempts to illegally enter our country. The INS must be improved and we must do our part by ensuring that it is adequately staffed and funded and has the legal tools it needs to do its job.

Illegal immigrants may be the lawbreakers in this equation, but U.S. employers are often their accomplices, turning a blind eye and deaf ear to the issue. Employers have not taken seriously their responsibility to determine that would-be workers are, in fact, legal U.S. citizens, and to not only reject illegals but report them to the authorities. An immigration task force headed by Barbara Jordan recently concluded that a national identification card may be the only answer here. Such an idea is supported even by a broad spectrum of opinion, liberal to conservative.

These costs of illegal immigration add up very quickly. How can we balance the budget or make difficult cuts in worthy programs when this illegal activity is allowed to continue unchecked at such expense? As a member of the Congressional Task Force on Immigration Reform, I call on the House leadership to make this a priority of the House of 104th Congress. We must focus the spotlight on this national scandal and see that it is ended, not next year, next month, or next week, or even tomorrow, but today. There can be no more excuses, no more delays.

THANK YOU, FRANK RECHSTEINER

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. BARCIA. Mr. Speaker, people who generously and graciously give of themselves time and time again are most deserving of our gratitude. Mr. Frank Rechsteiner of Bay City, MI, is one such individual. He is being honored on May 31 by the Boys and Girls Clubs of Bay County, Inc., for his 25 years of service to this outstanding organization as an officer and a member of its board of directors with the awarding of its 1995 Helping Hand Award. This seventh annual Night to Remember will truly be a special one.

Frank was born in the Bay City area, in the town of Kawkawlin, which also gave us the 1993 recipient of this prestigious award, our former colleague and my predecessor, Bob Traxler. He graduated from Bay City Handy High School and continued to apply himself as a most capable individual, rising to his current position of president and CEO of Rechsteiner Trenching.

Frank's love for youth is very easy to understand. As the father of four children, MaryAnn, Michael, Matthew, and Marc, he knows personally how precious children are, and how vital careful upbringing is for their adult lives. He and his wife RoseMarie can be proud of their success as parents.

His devotion to his community includes his service on the 4–H board of directors, and his efforts as director of the Bay County Fair and Youth Exposition. As a member of the Bay City Lions Club, St. Maria Goretti Church, the Ancient Accepted Scottish Rites, and as a Noble of the Mystic Shrine Elf Khurafeh Temple, he has exemplified what it means to be involved for the betterment of his friends and neighbors.

Frank Rechsteiner is also known for supporting many organizations and individuals, including myself with his legendary pancake breakfasts. Frank doesn't say "no" when asked to help. He asks "how" and "when." That is one reason why he continues to serve today as the vice president of the Boys and Girls Club Foundation.

Mr. Speaker, we all know that our communities can be a little better, and problems easier to solve if we take the time to become involved. Some have the best of intentions, but never get involved. Frank Rechsteiner has the best of intentions and the best of involvement. He is a model to us all.

I urge you and all of our colleagues to join me in congratulating Frank Rechsteiner for his well-deserved Helping Hand Award from the Boys and Girls Clubs of Bay County.

TRIBUTE TO OUR LADY OF REDEMPTION CHURCH AND BISHOP NICHOLAS J. SAMRA

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. BONIOR. Mr. Speaker, this coming weekend Our Lady of Redemption Church in my home State of Michigan, is celebrating its 75th anniversary. In addition, their interim pastor, Bishop Nicholas J. Samra, is celebrating his 25th anniversary as a priest.

From the very beginning, the founders of Our Lady of Redemption Church were committed to seeing the emotional, educational, and spiritual needs of the Melkite community fulfilled. These Christian immigrants from Syria and Lebanon had been attracted to the growing opportunity of Detroit since before the turn of the century. However, not until 1920 did these faithful Melkites receive their own priest. In that year Bishop Michael Gallagher of the Roman Catholic Church requested Melkite Patriarch Dimitri Cadi to send a priest for the 2000-member Melkite community within his diocese. Since that time the Melkite community has grown to become a vital part of the Detroit metropolitan area.

Originally in Detroit, the church moved to Warren to accommodate the changing demographics of the community. This weekend, in addition to celebrating the past, the members of Our Lady of Redemption Church are proudly looking toward the future. The success of this vibrant community has enabled them to begin the construction of a new church on the current grounds. The groundbreaking ceremony will take place this weekend along with the other festivities.

The Diamond Anniversary of the founding of the church is a proud milestone. Likewise, so is the Silver Anniversary of the ordination of Bishop Samra. As the community prepares to celebrate these historic anniversaries, I applaud the Melkite community for its rich contributions to the tapestry that makes up American life in Michigan. I commend the congregation for their work and faith and urge my colleagues to join with me in wishing congratulations to all the members of Our Lady of Redemption Church. May their next 75 years be a continued fruitful ministry.

TRIBUTE TO ALLEN C. MARTIN

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. PAYNE of New Jersey. Mr. Speaker, on March 31, 1995, a distinguished public servant, Mr. Allen C. Martin, retired from his position as undersheriff in the Union County Sheriff's Office. Mr. Martin, a lifelong resident of Elizabeth, had a 37-year career in law enforcement which was distinguished by his decency, commitment to the principles of justice, and his concern for his community.

Mr. Martin began his law enforcement career in 1953 when he joined the Elizabeth Police Department, where he was assigned to the Elizabeth Port area. In 1962, Mr. Martin joined the New Jersey Department of Corrections as a corrections officer. In 1968 he transferred to the Union County Sheriff's Office where he served as a sheriff's officer assigned to the warrant squad.

In 1978, Ralph Froehlich, a man who has since distinguished himself with his service and commitment to the ideals of justice, was elected sheriff of Union County. Sheriff Froehlich appointed Mr. Martin as undersheriff and placed him in charge of the process unit and warrant squad. Undersheriff Martin computerized the office and increased its capacity.

Councilman Martin has four grown children, a loving wife, and he continued to be active in his church and several social and political organizations, including the NAACP.

Mr. Speaker, I urge my colleagues to join with me in paying tribute to a fine American, a family man, and a devoted public servant, Mr. Allen C. Martin.

SAFE BOATING WEEK

HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. RAMSTAD. Mr. Speaker, I rise today to commend the Minnetonka Power Squadron for its sponsorship of Safe Boating Week, which is May 20–27.

I also want to highly applaud the Minnetonka Power Squadron's continuing efforts to make boating a safe summertime activity.

Minnesota is known worldwide for our more than 10,000 lakes. Each year, millions of Minnesotans and people from all over the country flock to these lakes to fish, water ski, canoe, or just beat the heat.

As we enjoy these activities, however, we must never forget the importance of boating safety. Carelessness or recklessness in boating can cause property damage and, even worse, result in serious injury or death.

During Safe Boating Week, the Minnetonka Power Squadron conducts many classes and public awareness activities to promote the importance of boating safety.

This yearly reminder of safe, proper boating techniques, and simple precautions—such as carrying life preservers—should be observed by all boaters throughout the boating season.

Mr. Speaker, it is my hope that all boaters—in Minnesota and across the country—will take the time to review safe boating precautions and exercise these practices all season long. I thank and applaud the Minnetonka Power Squadron for showing us how to enjoy boating safely.

SALUTE TO REV. DR. WILLIAM T. KENNEDY, JR.

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. FOGLIETTA. Mr. Speaker, I rise today to honor Rev. Dr. William T. Kennedy, Jr., the pastor of Grace United Methodist Church in Philadelphia, on the occasion of his retirement.

Reverend Kennedy is completing 25 years of service in the ministry, 10 years of which have been at the Grace United Methodist Church in West Oak Lane. Reverend Kennedy has also served at Wesley A.M.E. Zion in South Philadelphia and at Tioga United Methodist in North Philadelphia. Reverend Kennedy has also had a distinguished career in education, teaching sociology, theology, and preaching at Eastern College, the Eastern Baptist Seminary, Lutheran Seminary, and at Drew University.

In addition to his work in the ministry and teaching, Reverend Kennedy has participated in numerous civic activities. He has served as the chairman of the Philadelphia A.M.E. Zion Ministers Conference, the chairman of the Housing Committee at the Waterbury Development Corp., and as chairman of the Waterbury Human Relations Commission. Reverend Kennedy has also participated in a multitude of other community service organizations too numerous to name here.

Reverend Kennedy has been a selfless contributor to his work and community throughout his lifetime. I hope my colleagues will join me in recognizing Rev. William T. Kennedy, Jr. as he celebrates his retirement. I wish him the best of luck in his future endeavors.

DEVALUATION OF THE MEXICAN PESO

HON. MARK ADAM FOLEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. FOLEY. Mr. Speaker, today I am introducing legislation to alleviate the dislocation of a specific sector of the Florida economy due to the devaluation of the peso. While this legislation is designed only to relieve the problems experienced by the winter tomato industry in south Florida, it is my belief that the underlying intent of the legislation should be considered to be applied to all areas of trade within the North American Free-Trade Agreement [NAFTA].

Let me outline some ideas about NAFTA preamble of the agreement—the governments of the United States, Canada, and Mexico resolved to: First, create an expanded and secure market for the goods and services produced in their territories; second, reduce distortions to trade; third, ensure a predictable commercial framework for business planning and investment; and fourth, promote sustainable development.

And finally, the second objective of NAFTA is to: "Promote conditions of fair competition in the free trade area."

When the Mexican peso underwent the devaluation beginning in December 1994—these objectives were tossed out the window. The administration's only response was a multi-billion-dollar bailout of the Mexican currency with American taxpayer dollars. However what the administration failed to address was the impact of this devaluation of the peso on our vitally important domestic industries. Nobody knows for certain about the overall effect, but let me outline the effect on an industry that is important to my home State of Florida.

Florida's tomato industry generates an estimated $650 million in economic activity, and employs more than 2,000 workers. However, over the past 2 years, Mexico's share of the United States winter tomato market has nearly doubled. A devaluation of the Mexican currency has caused a massive export of Mexican tomatoes to the United States markets where a stronger, more stable currency is the real objective.

During the winter season, Florida produces about 95 percent of the fresh market tomatoes grown in the United States, with the only competition coming from Mexico. As the attached chart shows, the volume of Mexican tomato imports has dramatically increased over the past year due to the devaluation of the peso.

How has this affected the bottom line of tomato producers in Florida? They have seen the prices for their tomatoes decline from $15 for a 25 pound carton to only $5 from the period of January 30 to February 15 of this year. This steady decline in prices can clearly be attributable to the search for stable U.S. dollars.

Mr. Speaker, it is my belief that the recent peso devaluation undermines the basis for the establishment of tariffs and more than eclipses the tariffs negotiated to help transition the Florida tomato industry into a free-trade agreement during the 10-year phase out period for tomatoes.

Therefore, today I am introducing legislation to link the tariff of tomatoes to the devaluation of the Mexican peso. This is a simple solution that would multiply the tariff on tomatoes by an equal percentage of the peso devaluation thereby establishing a fair and stable climate for trade between Mexico and the United States.

Furthermore, this legislation directs the Secretary of Agriculture to determine the nature and extent of harm done to the domestic industry and take actions to remedy such harm. Mr. Speaker, in 1990, there were 230 tomato growers in Florida, today, there are less than 100 with the threat of dumping from Mexico occurring every year.

Finally, this legislation takes steps to ensure that Mexican tomatoes entering the United States meet the same standards established by the United States Department of Agriculture for domestic tomatoes. The Department has been far too lax in allowing in Mexican tomatoes which do not meet the same United States standards.

While some may argue that this legislation will violate the NAFTA, I dispute this most vehemently. NAFTA was to establish clear and stable rules of trade between the United States and Mexico. This legislation would ensure that to be the case by reducing any distortions to trade due to the devaluation of the peso. I urge my colleagues to carefully examine the impact of the devaluation of the peso on all industries around the country and determine if this would be a workable solution for other sectors of the economy.

FLORIDA VEGETABLE REPORT FEDERAL-STATE MARKET NEWS USDA AND FDACS TOMATO SHIPMENTS 1993–94 AND 1994–95

[1,000 25-lb Cartons]

Shipments through	1994–95		Shipments through	1993–94	
	Florida	Mexico		Florida	Mexico
1/29/95	12,942	11,635	1/30/94	16,374	11,061
1/30/95	75	292	1/31/94	172	271
1/31/95	97	292	2/01/94	232	195
2/01/95	143	352	2/02/94	242	245
2/02/95	132	346	2/03/94	206	206
2/03/95	95	336	2/04/94	142	193
2/04/95	93	339	2/05/94	242	223
2/05/95	48	6	2/06/94	104	6
Total	13,625	13,598		17,714	12,400
2/06/95	84	423	2/07/94	162	220
2/07/95	164	384	2/08/94	326	258
2/08/95	154	420	2/09/94	282	308
2/09/95	94	448	2/10/94	234	268
2/10/95	134	525	2/11/94	218	273
2/11/95	108	609	2/12/94	284	268
2/12/95	49	8	2/13/94	129	2
Total	14,412	16,415		19,349	13,997

FLORIDA VEGETABLE REPORT FEDERAL-STATE MARKET NEWS USDA AND FDACS TOMATO SHIPMENTS 1993–94 AND 1994–95—Continued

[1,000 25-lb Cartons]

Shipments through	1994–95		Shipments through	1993–94	
	Florida	Mexico		Florida	Mexico
2/13/95	76	768	2/14/94	179	378
Total	14,488	17,183		19,528	14,375

THE RIVER BEND NEIGHBORHOOD ASSOCIATION, NEIGHBORHOOD FINANCIAL CORPORATION AND THE PRINCIPAL FINANCIAL GROUP

HON. GREG GANSKE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. GANSKE. Mr. Speaker, I rise today to commend the River Bend Neighborhood Association, Neighborhood Financial Corporation and the Principal Financial Group. This partnership has been recognized for its achievements in creating and implementing a comprehensive neighborhood action plan. The partnership is one of six partnerships in the United States which will receive Social Compact's 1995 Outstanding Community Investment Award.

I had the pleasure and the privilege of visiting River Bend this past weekend. In the 6 years since the partnership began, this community which was once comprised of drug dealers, prostitutes, and decaying and abandoned houses has become a neighborhood of homes and families. Residents are no longer afraid to walk down neighborhood streets and 161 homes have been salvaged or reconstructed. Crime is down. Pride is up.

Our country should follow River Bend's lead. This neighborhood is a prime example of how people can help themselves. River Bend was given a helping hand by the financial services industry, the city of Des Moines, and Polk County—not a handout by the Federal Government.

I encourage more neighborhoods in our Nation to strive to accomplish the level of excellence which River Bend has achieved.

RHODE ISLAND GENERAL ASSEMBLY URGES SUPPORT OF SMALL BUSINESS ADMINISTRATION

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. KENNEDY of Rhode Island. Mr. Speaker, recently the general assembly in my State of Rhode Island passed a resolution urging the Congress to support the 7(a) and 504 programs of the Small Business Administration.

In my age when thousands of jobs are being created by small businesses, and thousands of people are finding new career opportunities as entrepreneurs, it is more important than ever to support these two important programs. We turn back on America's future when we fail to support these two initiatives.

In the upcoming budget debate I hope my colleagues will listen to and heed the wisdom contained in this resolution which reads as follows:

Whereas, the U.S. Small Business Administration was created in 1953 by President Dwight D. Eisenhower to foster the growth of small entrepreneurs, and

Whereas, our Nation's economic prosperity is linked directly to the health of the small business community, and

Whereas, the Rhode Island business community is comprised of over 97 percent small businesses, and

Whereas, small businesses have grown 49 percent since 1982, they employ 54 percent of the American work force, account for 50 percent of the gross domestic product, and account for 71 percent in new job growth in 1993, and

Whereas, the Small Business Administration's (SBA) 504 and 7(a) financing programs are a public/private partnership that leverages private dollars and allows for continued access to capital for Rhode Island's small business community, and

Whereas, SBA's technical resources including the Small Business Development Center at Bryant College and the Service Corps of Retired Executives provide much needed counselling to the Rhode Island small business community, and

Whereas, the Rhode Island SBA District Office has approved over 800 loans totalling $160.5 million in guarantee and 504 financing to the Rhode Island small business community from October 1992 to present, and

Whereas, this financial assistance has played a vital role in reviving the Rhode Island economy; now be it

Resolved, That the General Assembly of the State of Rhode Island and Providence Plantations hereby respectfully requests the United States Congress to financially support the U.S. Small Business Administration and its 7(a) and 504 financing programs, as well as its education/training and advocacy programs, and be it further

Resolved, That the Secretary of State be and he hereby is authorized and directed to transmit a duly certified copy of this resolution to the Speaker of the U.S. House of Representatives and the President of the United States Senate, and to the Rhode Island Delegation in the Congress of the United States.

HONORING ROBERT E. MILLS

HON. JAY KIM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. KIM. Mr. Speaker, it gives me great pleasure to rise today and pay tribute to one of California's outstanding citizens, Robert E. Mills on the 40th anniversary of his company, Associated Engineers.

Robert E. "Bob" Mills, a registered engineer, founded the private consulting firm of Associated Engineers in 1955. Mr. Mills, using his acumen and entrepreneurial skills, expanded the company to include all aspects of construction management, civil engineering, and survey work. This work included general civil infrastructure design and construction for industrial, commercial and residential developers, counties and municipalities, flood control districts, school districts, public and private water agencies, and State and Federal highway departments. In his ongoing pursuit of excellence Mr. Mills invented the Cutaline, an asphalt cutter which consists of a circular wheel on a special arm which is conected to a road grader. The Cutaline does in 1 hour what it would take 3 men, 2 days to do.

As one who believes in the value of community service, Bob has served the community as chairman of the San Bernardino County Flood Control District Zone I Advisory Committee, chairman of economic development for the Upland Chamber of Commerce for 9 years, the board of directors for the California Council of Civil Engineers and Land Surveyors, chairman of the grading committee, which instituted changes in the State of California Uniform Building Code, the American Red Cross, the Upland Kiwanis Club, the United Fund, YMCA, and on the board of trustees of the Congregational Church in Ontario.

I commend Bob on his outstanding and worthwhile achievements and congratulate him on 40 successful years of Associated Engineers.

EUGENE AND EARL BLACK—91 YEARS OF COMBINED, DEDICATED SERVICE

HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. POSHARD. Mr. Speaker, I rise today to pay special tribute to two brothers who have, for over four decades, made a tremendous contribution to their communities. Eugene and Earl Black have served their friends and neighbors throughout southern Illinois as ministers for a combined 91 years. Both Eugene and Earl will retire on June 30, 1995.

Eugene Black has ministered to the needs of his neighbors in small, rural communities throughout southern Illinois for 49 years. He has been the pastor at the First United Methodist Church in Herrin, IL, since 1989 and will step down the last day of June to start what promises to be a rewarding retirement in Mattoon. Eugene plans to continue in his retirement as an interim pastor, help his sons, Phillip and Paul, with home repairs, and travel.

Earl Black also found his life's calling in service to the church. For 42 years he has ministered to the needs of the people of southern Illinois, and currently serves as the minister of the First United Methodist Church of Marion. Earl plans to retire near Metropolis, where he anticipates a retirement full of singing with the gospel quartet, auctioneering in the community, and working in his machine shop.

Serving the needs of congregations for over 40 years has been a rewarding experience that neither brother would wish to change. Being called upon to aid in a families time of joy or sorrow is a great responsibility, and both Eugene and Earl shoulder the task with graciousness and humility. Seldom in life are people destined for careers in which they are able to directly touch the lives of those with whom they come in contact, but Eugene and

Earl have done this, and I commend them for dedicating their lives for the benefit of others. They have enjoyed careers of inspiration and divine purpose, and it is with regret that their friends see them retire.

Mr. Speaker, Earl and Eugene Black have committed their lives to helping others enjoy a special moment, or endure a time of anguish, and I am proud to represent them in Congress. They have touched the lives of countless people, and I urge my colleagues to join with me in saluting these outstanding brothers.

THE PLIGHT OF THE ROMANIAN MOLDOVANS

HON. MARTIN R. HOKE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. HOKE. Mr. Speaker, we all know that the central and eastern European revolutions of 1989–91 marked a historic event in the European struggle for freedom, democracy, and sovereign independence after so many years of Communist rule. The revolutionary period, however, was chaotic and difficult for the ethnic minorities long held in check by Soviet imperialism and repression. The suffering was also experienced by the ethnic minorities in the Republics of the former Soviet Union.

The history of the Romanian Moldovans is one of such suffering peoples. Upon the declaration of independence by Moldova in August 1991, cordial relations were established with the neighboring country of Romania. From that time forward, much has seemingly gone wrong in that fragile region.

I am inserting into the CONGRESSIONAL RECORD some interesting information that has been brought to my attention regarding the plight of the Romanian Moldovans. I know this will be of great interest to you and I hope you will have the opportunity to read this report:

MOLDOVA AND THE CASE OF ILIE ILASCU—BACKGROUND TO THE PROBLEM

Elie Wiesel, an Auschwitz survivor, once said that forgetting the victims is like killing them a second time.

Indeed, oppressors and oppressing states often insist on forgetting the past for the sake of a new start. It is particularly convenient for them because the past can be extended from yesterday to whatever date suits their interests.

In this case, Russia wants to forget Soviet Union's brutal past and injustices and to start with perestroika. Moscow conveniently ignores that Bessarabia or western Moldova was annexed from Romania in 1940 following the Nazi-Soviet secret pact signed in Moscow by Ribbentrop and Molotov in 1939.

Hundreds of thousands of Romanian Moldavians were deported, imprisoned, or summarily executed. Hundreds of thousands of families were split, uprooted, displaced, never to meet again. Hundreds of thousands of Russians and Ukrainians were brought in to reorganize and supervise the new republic of Moldova.

The former Romanian province was territorially mutilated and its borders redrawn. While the northern and southern regions of the new republic were granted to Ukraine, a small piece of land on the left bank of the Dnestr River was given to Moldova. This area was highly russified and its capital, Tiraspol, served for a very long time as a center of Soviet Marxism and Russian nationalism. In fact, Tiraspol was a spring board for Party activists to jump to power in the capital of Moldova, Chisinau, or to other Soviet places.

While imposing Marxism as a new political form of social organization, Moscow also demanded strictly that the indigenous population calls itself Moldavian rather than Romanian. And to make a modicum of distinction within an otherwise undivisible nationality, Moscow forced Moldova to adapt the Russian alphabet instead of the Latin script used by Romanians. For a while, the ploy worked, but only as long as the people was brutally suppressed.

Perestroika, nevertheless, brought along freedom of expression and of political organization. Hundreds of thousands of Moldavians gathered on many occasions in Chisinau to reclaim their history, their language, the right to be themselves, their Romaian nationality. Some of the first acts the Moldavians did, were to declare again their Romanian identity and to reimpose from within the Latin alphabet. And the Romanian tricolor was flying again everywhere.

Eventually, Perestroika caused, at least in theory, the dissolution of the former Soviet Union and it made possible wide spread declarations of independence.

Moldova too declared its independence on August 27, 1991 and a euphoric state followed. It also adopted the Romanian national anthem, it eased control at the Romanian border, while union with the old country appeared imminent. And in the avant-garde of this struggle for national recognition was the Moldavian Popular Front. But the initial enthusiasm was soon replaced by the harsh realities imposed again from the center. Moscow would not give up its empire.

First, the small Gagauz minority of Moldova was pushed by the Russians to declare its independence. When this move failed, the Tiraspol Russians declared their own separate Dnestr Republic and vowed to rebuild communism and a new Soviet Union around it. The new Marxist republic readopted the former Soviet system and began to hire mercenaries to fight against Moldova. Confronted with dismemberment, Moldova formed an army made mostly of volunteers and in 1992 the two sides were poised for war.

Moscow followed with great interest the events and manipulated the war to make sure that Moldova would not be allowed to rejoin Romania. Whenever the war turned sour for the Dnestr Republic, the 14th Russian Army located in Tiraspol openly intervened to its defense. It also armed to the teeth Cossack and Russian volunteers from all over USSR to fight against Moldova.

Within a few months, the war turned very ugly. Many Romanians from the Tiraspol area under the new Dnestr Republic were arrested, disappeared, or were murdered in a barbarous manner. Several Romanians were mutilated, skinned, or nailed to crosses.

At the same time and in order to beat Moldova into submission, Russia stopped the supply of energy and raw materials, resulting in freezing temperatures during the winter and industrial idleness. What Moscow wanted was to bring Moldova back into the newly formed CIS, to alienate it at any price from Romania, and to make its people accept the misnomer of "Moldavian."

At the beginning, the new leaders in Chisinau resisted and fought the trend, but later a new group of pro-Moscow individuals gave in to the Russian demands.

It was at the beginning of the war of 1992 that the Dnestr authorities arrested the leaders of the local Moldavian Popular Front and started a shameful process which lasts to this day. The case is now known as "The Tiraspol Five," and it has acquired international attention.

THE "TIRASPOL FIVE"

On June 2, 1992, a group of five members of the Tiraspol Branch of Moldova's Popular Front was arrested on false accusations of "terrorist acts against the Soviet Power." They were Ilie Ilascu, president of the local branch of the Front, Alexandru Lesco, Tudor Petrov-Popa, Andrei Ivantoc, and Petre Godiac. A sixth person who was arrested at the same time, Valery Garbuz, had been infiltrated by the local secret police into the organization in order to testify against the group.

It should be mentioned that at the time of the arrest, the Tiraspol branch of the Popular Front was working legally and openly within the laws of Moldova. By contrast, the authorities of the Dnestr Republic that arrested them were illegitimate and did not represent any legal state.

At first, the group was detained at the headquarter of the 14th Russian Army in Tiraspol, raising additional questions about the status of this Army. Initially, some 20 persons were detained, but most of them were freed when they retracted their pro-Romanian stand. As a matter of fact, the most insistent demand of the investigators was that they give up their claim to be Romanians and accept instead their regional identification as Moldavians.

In spite of the unbearable conditions to which the victims were subjected, no one confessed to any crimes, but this did not change anything. During the investigations, Ilascu was visited unexpectedly by the ministers of security of both Moldova and the Dnestr Republic, making him think that the two entities acted in unison. On at least one occasion, the two security ministers left Ilascu's cell together, making fun of him.

As Ilascu mentioned in a letter, the defenders were visited by people from Romania, Switzerland, Italy, Poland, and even from the United States. But never by any official of Moldova. During this ordeal, Ilascu states, they were kept alive only because the international press took an interest in them.

When the trial began, the entire evidence against the defenders was based on the false testimony of Valery Garbuz. And in order to scare them and influence the judge, numerous local communists were brought in to chant "death to the terrorists." To complete the picture, the defenders were kept in an iron cage, and the trial was staged in a local factory. It was a reminder of the Stalinist trials of the 1930's.

Kept under such conditions, members of the Ilascu group came to the conclusion that their arrest and subsequent trial was orchestrated by the Tiraspol Russians with the support of certain circles in Moscow. And, according to Ilascu, the Dnestr authorities also had the cooperation of the new leaders of Moldova who wanted to annihilate the opposition.

The most prominent among the new leaders of Moldova are President Mircea Snegur, Prime Minister Andrei Sangheli, and Speaker of the Parliament Petru Luchinski. All three of them are former secretaries of the Moldavian Communist Party. Apparently, they are also under Moscow's pressure and threats. Under such circumstances, the independence of Moldova is far from being real.

Moldova is only independent of Romania, which is exactly what Moscow wanted. And

to make sure of achieving their goal, the Russians planned the 1992 Denstr War and the dismemberment and federalization of the small republic. Allegedly, Moscow also threatened that if Bucharest insisted on claiming Moldova, they would transform Romania into a second Yugoslavia.

Thus, the true goal of the arrest of the Tiraspol group of the long public trial, and of the convictions, seems to be threefold:

To intimidate and demoralize the Romanian majority of Moldova;

To cover up the murders perpetrated by the very authorities of the Dnestr Republic during the summer of 1992;

And to kill any desire or aspiration of the Moldovan Romanians to unite with Romania.

Although imprisoned, in February 1993 Ilie Ilascu was elected to the Moldavian Parliament. This enraged his captors even more. In December 1993, he was sentenced to death while his colleagues received long prison convictions. In spite of his sentence, Ilascu shouted: "Long live Romania. You can kill us, but you cannot defeat us."

As of the end of January 1995, when President Mircea Snegur came to an official visit to Washington, Ilie Ilascu and his group were still in prison, tortured continuously and dying a slow agonizing death. (See Appendices)

RECENT MOLDAVIAN VISITS TO WASHINGTON

While visiting Washington, President Snegur painted Moldova as a young but democratic republic struggling to reform politically and to create a free market economy. He insisted that he wanted to integrate his republic into the European organisms, but also to keep close relations with Russia and CIS. (The question is how can one serve two masters?)

During the same period of time a prominent member of the opposition and a leading member of the Moldavian Parliament, Vasile Nedelciuc, was also in Washington for the National Breakfast Prayer.

Meeting several congressmen, Nedelciuc spoke on behalf of the democratic opposition of Moldova and raised a number of questions. He insisted that the opposition supports fully the idea of integration with Europe and greets with enthusiasm good relations with the United States.

On the other hand, he underlined that closer relations with Russia and the CIS bloc could prevent the process of democratization and integration with Europe and especially with the mother country of Romania. He also insisted, as President Snegur did, that the presence of the 14th Russian Army headquartered in Tiraspol represents a big threat. This army and its huge arsenal should be withdrawn from Moldova as soon as possible.

With regard to the much needed and appreciated American aid, Nedelciuc insisted that most of it goes to state enterprises or state structures, and very little is used to encourage private businesses.

He stressed that the reforms did not touch that countryside, where former Soviet state and collective farms have not been disbanded and their chairmen oppose any changes.

He underlined that the opposition has no access to radio and television which remain exclusively in the hands of the new government and its party.

He also said that the government has abusively fired from administrative positions most people who belonged to the opposition. Among them there were several freely elected mayors.

He stressed that most of the visiting US governmental delegations, and even the personnel of the American Embassy in Chisinau, avoid to meet the opposition. A dialogue with the opposition would be beneficial to all parties.

He insisted that educators, teachers, men and women of art and letters of Moldova, are again persecuted for declaring openly their Romanian language, culture, and identity. Renowned poet and writer, Grigore Vieru, for example, repeatedly received telephone threats. In this light, Nedelciuc . . . pleaded that the recent Appeal of Moldova's educators be distributed in the West and their cause be known and defended (See attached Appeal)

With regard to Ilie Ilascu and his group, Vasile Nedelciuc stressed that their unending ordeal is an insult to the entire Romanian nation and to the concept of independence of Moldova. President Snegur also promised to intervene on his behalf. As Eli Wiesel put it, to forget them is killing them a second time around.

The United States has granted Moldova over two hundred million dollars as assistance. This year Moldova is scheduled to receive twenty-two million dollars. This is our taxpayers' money. It is unacceptable to help Moldova while the government persecutes its majority and at the same time it is unable or unwilling to free its own citizens from prison.

Peter Lucaci, National President, Union & League, R.S.A., Inc.

Rt. Rev. Bishop Nathaniel Popp, Romanian Orthodox Episcopate of America.

Archibishop Victorin, Romanian Orthodox Archdiocese in America and Canada.

(Archmandrite) J. Michael Botean, Apostolic Administrator, sede vacante, Roman Catholic Diocese.

Dr. Nicholas Dima, Union & League, Washington Representative.

APPENDIX I

Statement by Ilie Ilascu addressed to the Prosecutor of the Tiraspol Court on December 11, 1993, after being sentenced to death (summary).

"The undersigned Ilie Ilascu was illegally and brutally arrested by the anticonstitutional authorities of the so-called Moldavian Dnestr Republic on June 2, 1992, at four AM at my home address on Pacii Str. Nr. 50/1. apt. 1, Tiraspol.

"The arrest was conducted by Vladimir Ivanovici Gorbov, a lieutenent colonel of Moldova's Ministry of Security, who was secretly dispatched for this mission from Chistinau. His mission was:

1. To join the security authority of the Dnestr Republic pretending that he was a political refugee from Moldova.

2. To collect compromising information for the liquidation of the Tiraspol branch of Moldova's Popular Front, considered an organization opposed to the communist regimes in Chisinau and Tiraspol.

In view of his mission, Gorbov arrived in Tiraspol in February 1992 and shortly after in March, he was already a member of the Dnestr security department. A few month later, he became deputy Minister of the Dnestr Republic's Security Ministry.

The arrest of the Tiraspol Five was coordinated with V.I. Garbuz, a former militia captain and a known police informer, who had been infiltrated into the local branch of the Popular Front. Before my arrest, the local militia planted in my apartment arms and ammunitions of which I had no knowledge.

For months, I was investigated by Gorbov, who applied the most brutal methods: beatings, intimidations, threats, lies, starvation, isolation, psychological pressures, and several mocked executions.

He told me, for example, that my younger daughter was kidnapped and that my wife had lost her sanity. Gorbov and Shevtsov also asked me continuously to confess, to deny my position, and to sign false statements already written by them. They tried to make me sign confessions that I was a CIA agent as far back as 1989, and that I also was a Romanian secret agent trained to execute terrorist activities in Moldova.

When I totally refused, they beat me to a pulp. Later, they tried to make me sign confessions that I had been a paid agent of Moldova's Security Ministry trained to carry out terrorist activities in the territory of the Dnestr Republic, which I also rejected as ridiculous.

Mr. Prosecutor, I also want to stress that during the night, Gorbov called his con in Chisinau several times. In the silence of the night I could hear that he received from him secret information regarding the evolution of the Dnestr War. (This should be construed as plain treason).

He also bragged frankly about dozens of members of the Popular Front whom he had killed with is own hand at Benderi during the height of the war in the summer of 1992.

Interestingly, after accomplishing his mission, Gorbov disappeared from Tiraspol and returned to Chisinau, where allegedly he had retired to live in . . . peace and honor.

In view of that Mr. Prosecutor, I demand that Gorbov, my investigator and accuser here in Tiraspol, be himself arrested and tried for his crimes. Ilie Ilascu, December 11, 1993.

APPENDIX II

Letter by Ilie Ilascu from Death Row

My cell is made exclusively of iron and cement, and it does not have any ventilation. The windows have three rows of bars and are covered by a metal sheet. There is no light and no fresh air. I have been kept alone and have not been taken out since February.

My kidney problems have aggravated. Many times I can no longer stand the pain. I also have acute pains on the right side of the body in the abdominal, liver, and lung areas. It has now been two years since I could no longer control my left cheek, which shakes very often. My eyes itch continuously, and following the 1992 beatings, I lost two teeth while a third one was broken. Above the right knee, I have an area that is now completely numb. My migraines are continuous, and there are times when I can no longer get up alone.

The cell has never been heated, and I have been continuously starved. Mircea Sengur has not allowed anybody to help me. Not even the Red Cross has been allowed to visit.

I will resist as long as God will keep me alive.—Ilie Ilascu, September 25, 1994.

APPEAL

To the Parliamentary Assembly of the Council of Europe, European Commission on Human Rights, the Committee on Relations With European Non-Member Countries

The present Appeal is a document adopted at a protest meeting, held on January 20, 1995 in Chisinau (Moldova), which was attended by over 400 people representing 29 educational, research and cultural institutions.

We, the participants to the meeting, fully support the efforts directed at obtaining Republic of Moldova's membership in the Council of Europe, since, to our strong belief, this

prestigious international body can give some additional guarantees to the irreversibility of democratic changes that occurred in our society during the last years.

It's precisely the concern for the fate of democratic gains of 1989-90 that made the people gather at this meeting.

The issue under discussion might seem pretty insignificant to anyone but those who know how skillfully and hypocritically it had been manipulated by the totalitarian regime. It deals with the term "Moldovan language"—a term invented by Stalin for the sake of building a "Berlin wall" between it and Rumanian language, and culture in general (for this purpose "Moldovan language" was even given the Russian alphabet). That proved to be one of the most powerful instruments of uprooting the ethnic identity of the Rumanian population of Bessarabia and of depriving it of its cultural values. The most progressive and honest scientists from both the Republic of Moldova and Russia could never accepted this falsehood.

That is why the issues of language and its alphabet have become pivots in the general democratic demands of 1989. As a result, the Academy of Sciences officially recognized—and the first democratic Parliament confirmed—that there is only one literary Eastern Romance language—Rumanian, Moldovan being just one of its sub-dialects (spoken also in Rumanian Moldova). In the general bliss of those years it seemed that there is no way back to the old political manipulations.

In this context one can understand the frustration related to the return of the false term "Moldovan language", a term the actual majority party succeeded to introduce in the Constitution (Article 13.1). By the way, the Academy, when consulted by the Parliament on the issue, reaffirmed its previous opinion and was thus ignored by the latter.

Things wouldn't be so dramatic, if people didn't know what the implications of this "minor" untruth would be to the study of history, literature, etc., but most of all to the MORALITY of the whole society. This would mean another spiritual isolation, i.e. our further distancing from the ideals of European integration.

Even more troublesome is the direct pressure on behalf of the Government upon the teaching staff of the educational institutions not to use the term Rumanian language. Threats are already being heard towards those specialists who do not accept the linguistic and historical untruth. Teachers feel humiliated by the fact that, after they have enjoyed the freedom of telling the truth, they are forced to perpetuate old propagandistic lies and find it immoral.

We, the participants to the meeting, protest against the above mentioned facts, qualifying them as violations of our human and professional rights. These are also violations of the students' right to education in their native literary language (and not just a sub-dialect of it), on the basis of scientific truth.

We also express our protest against the inaccessibility of state radio and TV (the only ones in Moldova) not only to the opposition parties, but also to the researchers, teachers, university professors that have different opinions from those stated officially.

We appeal to the high authority of the Council of Europe for support in the hope that it will not disregard these cases of encroachment on our professional liberty and human dignity.

Anticipating the membership of the Republic of Moldova in the Council of Europe, we are eager to work towards the democratization of our society and towards achieving the noble goals of this European forum.

With our highest consideration,

Timofei Melnic, Chief of the Department of Rumanian Literature, State University, Chairman of the Meeting.

Address: str. Miron Costin 15/2, ap. 125, Chisinau, Republic of Moldova, Tel. (3732) 32-25-22.

Ion Vicol, Researcher, State University of Moldova, Secretary of the Meeting.

HONORING SAMUEL BEA, JR.

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. ENGEL. Mr. Speaker, a long-time community leader and activist, Samuel Bea, Jr., is retiring as district manager of Community Board No. 12 in the Bronx after serving 18 years in the post.

Sam's commitment to the residents of the Northeast Bronx cannot be matched. He brought to the position of district manager exceptional management skills and knowledge of people and issues which were the key to his many successes in trying to improve the quality of life for his constituents.

His past experience includes serving as director of Community Services, Westchester Community Opportunity Program, Inc., executive director, Mount Vernon Community Action Group, project administrator, Harlem Hospital Comprehensive Alcoholism Program, deputy executive, associate director, OJT director, Urban League of Westchester, manpower coordinator, Yonkers, NY, and director, Neighborhood Youth Corps, Greensburg, NY.

Everything that Sam Bea has done in his professional life has been devoted toward helping people. And though he retirees from being district manager, I am sure his commitment to helping people will continue.

I join with Sam's family, friends, and colleagues in wishing him the best in the years ahead and thank him for all he has done.

DANVILLE ROTARY HONORED ON 75TH ANNIVERSARY

HON. PAUL E. KANJORKSI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to the Rotary Club of Danville, PA which is celebrating the 75th anniversary of its founding. I am pleased to have been invited to participate in the anniversary dinner on May 13 and to have this opportunity to bring the history of the club to the attention of my colleagues.

Founded in 1905, by Paul Harris in Chicago, the Rotary has been an institution in America ever since. The first Rotary meeting consisted of Paul Harris and three other businessmen. Out of that meeting came the idea to form a men's club representing local business and the professions. Weekly meetings were held, in turn, at each member's place of business. This is how the organization came to be called Rotary.

The purpose as defined by its founder was to undertake civic functions of value to the community. Mr. Harris was successful in his endeavor. Now known as Rotary International, the organization has grown to more than 25,000 clubs, in 172 countries, with membership well over a million and a quarter. In 1988, Rotary opened its membership to women.

Fifteen years after Paul Harris founded Rotary, the Danville Rotary Club was organized and given its charter, No. 651. This club has served the community with dedication ever since. The club boasts three District Governors from its ranks from 1938 to 1993. The club joined with Bloomsburg and Berwick to found the Columbia-Montour Boy Scout Council in 1924. Boy Scout Camp Lavigne was named in honor of Jack Lavigne, a charter member of the Danville Rotary.

Over the years, the club has sponsored a children's clinic, the student exchange program, Cub Pack 36, Crop Walk, Danville Community Center, Thomas Beaver Library, Edith Buckley Brown A.L.S. Foundation at Geisinger Medical Center, to name just a few of the club's beneficiaries. "Service Above Self", the motto of Rotary International, is the tradition of the Danville Club.

Mr. Speaker, I am extremely proud of the strong and active influence of the Danville Rotary throughout my District. I am especially pleased to join with the Danville community in congratulating Danville Rotary on its 75th anniversary. We thank you for your dedication to your community, and for helping make Rotary synonymous with service.

TRIBUTE TO NANCY HUDSON AND NANCY KNOBLE

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Ms. WOOLSEY. Mr. Speaker, I rise today to honor two brave and very dedicated women, Nancy Hudson and Nancy Knoble, who are deserving of special congressional recognition for their efforts to call international attention to the battle against breast cancer. They are very positive role models for other women faced with this same situation.

The two Nancy's recently participated in a successful climbing expedition of the 23,085-foot Mount Aconcagua in Argentina in which 16 breast cancer survivors took part. They should be commended for their participation in this novel effort, organized by Breast Cancer Fund of San Francisco, to raise money for research and treatment of breast cancer. The two were recently recognized by the White House for their efforts during the Clinton administration's Medicare Mammography Awareness Campaign. I know that their enthusiastic response to fighting this disease in such an active manner helps to motivate others to redouble their efforts against this deadly disease, as well as the example they set and hope they give to other cancer survivors.

Mr. Speaker, it is my great pleasure to pay tribute to Nancy and Nancy for their extraordinary efforts. I am very proud to be representing these two remarkable women in Congress. I extend my heartfelt congratulations and deep appreciation to Nancy Hudson and Nancy Knoble for their tremendous achievements.

A TRIBUTE TO JERALD R. BUTCHERT

HON. CALVIN M. DOOLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. DOOLEY. Mr. Speaker, I rise today to recognize and honor Jerald R. Butchert, a personal friend of mine and a man who has worked tirelessly to make the San Joaquin Valley the most fertile agricultural land on Earth. Jerry is retiring May 31 as general manager of the Westlands Water District.

For the past 18 years, Jerry has been general manager of the Nation's largest agricultural water district, a district which approximately equals the State of Rhode Island in area.

Jerry has built a career on the prudent management of water, and has helped build Westlands into one of the most impressive water-delivery systems in the world.

Jerry was a key participant in the negotiations that led to the Reclamation Reform Act of 1982, legislation which forever changed the face of the Westlands' farming operations, and created new opportunities for young landowners and farmers. He also led the district's ongoing negotiations with the Federal Government on the need for adequate drainage service.

More recently, Jerry was active in discussions that led to the historic Bay-Delta agreement, an agreement that helped bring stability to the Delta and to California's agricultural water supply. He is currently playing an important role in efforts to reform the 1992 Central Valley Project Improvement Act.

A civil engineering graduate of Fresno State College, Jerry began his career as an engineer for the Fresno Irrigation District. He later served as the executive officer of the Eel River Water Council, and as the legislative representative in Washington, DC for the Metropolitan Water District of Southern California.

He has continued to be active in water organizations throughout his career, serving as a director of the National Water Resources Association, the Central Valley Project Water Association, and the San Luis and Delta-Mendota Water Authority. He is a member of the Drainage Oversight Committee of the San Joaquin Valley Drainage Program, the Association of California Water Agencies, and the American Society of Civil Engineers.

Jerry and his wife, Carrie Lou, have four children and five grandchildren.

Mr. Speaker, Jerry Butchert has a long record of achievement in his career. He has earned our honor and respect in his retirement. Mr. Speaker, please join me and my colleagues in recognizing by good friend, Jerry Butchert.

THE RIGHT TO LIFE ACT OF 1995

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. DORNAN. Mr. Speaker, I am privileged to introduce the Right to Life Act of 1995 because I must do what I can for our society to instill respect for human life and stop the current culture of death. The Supreme Court in *Roe* v. *Wade* laid out the blueprint for this legislation. It is simple, reasonable, and just, and provides that the right to life guaranteed by the Constitution is vested in each human being at fertilization.

We Members of the House know that for each of the past 22 years following *Roe* v. *Wade*, an estimated 1,500,000 preborn children have been institutionally killed throughout Federal enclaves and the States. More than 33,000,000 innocents have been slaughtered, pregnant mothers traumatized, and fathers denied paternity. As would be expected from this loss of respect for the value of dignity of human life, euthanasia followed the soaring abortion rate. And then street violence invaded the lives of all Americans at a frightening pace.

And so, Mr. Speaker, I must ask America: "How did this tragedy occur in our beautiful Land of the Free?" Well, in a word, apathy. We took it for granted that America was good and just. But, evil worked from within, and persuaded our Supreme Court to make catastrophic errors of judgment, fact and law in *Roe* v. *Wade*, by which the Court authorized the killing of innocents. It is the same evil which we suffered when society permitted the personhood of a slave to be less than the personhood of a slave owner. Now the right to life of a preborn person is less, according to the Court, than that of a born child.

The Right to Life Act confronts and overcomes the abortion plague spawned by *Roe* v. *Wade*. It assures that we will no longer violate the basic human right to life. We will provide equal care and protection for the right to life for both a pregnant mother and her preborn child.

As an American, I cannot live side-by-side with abortion and euthanasia as if it were not evil to kill a baby or the aged or sick. As a public official, I cannot sit by as if America cannot stop notorious violations of human rights in our country.

For centuries, America was held hostage to the great controversy over the absolute evil of slavery. Now, for 22 years too long, America has been held hostage in this great controversy and conflict over the absolute evil of abortion.

Where are the bodies of the 4,000 or more problem preborn babies intentionally killed each day in America? The press and media show us photos of starving children in foreign lands and urge us to get food to the hungry. We saw the dead and barely alive victims of Hitler's death camps which sickened us 50 years ago. Today we still remember and memorialize the worst evils of World War II.

No longer should there be a cover-up of the death of even one preborn baby. We must look squarely at the abortion tragedy and pray that America will be moved finally with reason and compassion to save preborn babies, their mothers and fathers, and our society.

RECOMMENDATIONS OF THE 16TH DISTRICT STUDENT CONGRESSIONAL COUNCIL

HON. RALPH REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. REGULA. Mr. Speaker, every year I sponsor a student congressional council in the 16th District of Ohio. High school students are selected to participate and are assigned issues of national importance to research and debate. This year the students were told to formulate their own "Contract With America."

The students spent many weeks researching and discussing the annual topic. They conclude the project by holding a mock Congress. On this final day the students debate and vote on their contract proposals.

The students considered over 30 pieces of legislation. I am proud to insert the following proposals which passed their student legislature into the CONGRESSIONAL RECORD:

The participating high schools are: Alliance, Central Catholic, Glen Oak, Fairless, Fredericktown, Hillsdale, Hoover, Louisville, Marlington, Minerva, Northwestern, R.G. Drage, Tuslaw, and West Holmes.

WELFARE REFORM

It is clear that the current welfare system is slowly destroying the very fabric of our society. The current system encourages both irresponsible behavior and fraud. In an attempt to save the American society by strengthening the American family, encouraging responsibility, and eliminating unnecessary illegal behavior, I urge the passing of this bill.

A bill to establish guidelines for the Aid to Families with Dependent Children program.

In order to quality for and receive Aid to Families payments all applicants and recipients must be at least 18 years of age, a legal citizen of the United States, and either possess a high school diploma, have passed the Graduation Equivalency Test, or currently be enrolled in a course of study leading to a GED test.

All applicants or recipients whom the State determines to be addicted to alcohol or any type of drug shall be required to participate in and successfully complete an addiction treatment program. Those applicants and recipients whom the State determines to be addicted to alcohol or any type of drug shall also be subject to random alcohol and/or drug testing.

All guardians of children whose parent(s) are currently incarcerated shall continue to receive ADFC payments for the care of these children.

All States shall have the power to require recipients of AFDC payments to perform community service, providing that they offer child care to those whom they determine need it.

All unwed mothers must establish paternity in order to receive AFDC payments. Once paternity is established, AFDC benefits will not increase for those women who are currently on welfare who give birth to additional children.

All fathers that fail to pay child support shall not be eligible to receive AFDC payments, however, job training and placement assistance shall be offered to these men.

All States shall be required to terminate AFDC payments to recipients who have received these payments for at least three years. All States shall have the power, however, to end these AFDC payments after one year, providing that they offer a job training and assistance program to their recipients.

All State-provided job training and placement assistance programs shall be funded through block grants, comprised of the savings generated by denying AFDC benefits to those under the age of 18. All State-provided child care to recipients of AFDC payments may also be funded through these block grants, or States may provide the position of child care administrator as a community service opportunity to those recipients whom must complete a State determined requirement of community service.

STRICTER LEGISLATION REGARDING PERSONS ON TRIAL, PUNISHMENTS, AND THEIR APPEALS

A bill to have a stricter legislation regarding trials, punishments and appeals of accused persons. If a person is accused of committing a felony, they should be tried as an adult regardless of their age when they committed the crime. There should be stricter psychiatric evaluations for accused persons claiming temporary insanity. Useless questioning or the use of irrelevant evidence should be abolished. There should be stricter punishments for criminals convicted of crimes involving guns, drugs, and other serious felonies. Any criminal convicted of any 3 felonies will be locked up in prison for the rest of their life. Life sentences should be served for the remainder of the criminal's life. We should cut back on jail privileges for the white collar criminals, such as tennis courts, exercise rooms, swimming pools, etc. A convicted criminal should only be allowed to receive two appeals. By doing this, it will eliminate the use of tax payers' funding of useless court trials. If released, the criminal must pay court fees.

MANDATORY RAILROAD CROSSING WARNING LIGHT AND GATE PLACEMENT AND REPAIR

This bill would impose mandatory placement of lights and gates at all railroad crossings in use and require immediate repair of all faulty gates and lights.

A bill to create gates and lights for all railroads in use.

Sec. 1. The federal government will allocate funds from Department of Transportation to state governments for the building of railroad crossings that are in use.

Sec. 2. All faulty gates and lights must be repaired immediately. Gates and lights that are not working or are being repaired must have signs posted to notify this to drivers.

Sec. 3. If a railroad crossing does not have gates or lights then trains must reduce their speed to 25 m.p.h. through the crossing until the installation of gates and lights is complete.

Sec. 4. If a state does not comply with this bill all federal funding for highways will be cut off for that state.

TRIBUTE TO COL. CECIL G. FOSTER, U.S.A.F.

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. CAMP. Mr. Speaker, it is with great pleasure that I rise today to recognize an outstanding individual, originally from Michigan, on the occasion of his homecoming to serve as Parade Marshall of the Midland Memorial Day Parade. Col. Cecil Foster has dedicated his life to the service of his country and his community, and is an inspiration to the many people whose lives he has touched.

Shortly after his graduation from Midland High School in 1943, Cecil answered the call of his country and enlisted in the Army Air Forces. This was the beginning of a long and distinguished career in the U.S. military. During this time, his services were recognized as he was awarded the Silver Star with one Oak Leaf Cluster, the Distinguished Flying Cross with two Oak Leaf Clusters, and the Air Force Commendation Medal.

Cecil immediately requested pilot training, and through dedication and hard work, he earned his wings in 1948. After resigning his commission in 1950, he hardly had time to settle into civilian life before the onset of the Korean War. The outbreak of hostilities in Korea once again summoned Cecil's unwavering patriotism. He was recalled to active duty in August 1951 and assigned to the 16th Fighter Interceptor Squadron, where his brave service to our Nation in the name of democracy earned him a promotion to Captain.

Cecil's military career continued into the era of the Vietnam War. Promoted to Lieutenant Colonel, he assumed command of the 390th Tactical Fighter Squadron in DaNang in 1968.

During Cecil's tours in South Korea and South Vietnam, he logged over 200 combat sorties, including the confirmed downing of 9 MiG–15's. He remained on active duty until 1975, and retired with over 5,000 flying hours.

Mr. Speaker, Colonel Foster has demonstrated dedication, patriotism and bravery in service to his country that is unparalled in America's history books. He is one of the few, unique individuals whose actions still represent the ideals upon which this Nation was founded. I know you will join me in welcoming Midland's "native son" home to Michigan on this special occasion.

INTRODUCTION OF COME HOME, CORPORATE AMERICA BILL

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. SANDERS. Mr. Speaker, did you know that investment by U.S.-based multinational corporations abroad rose by 7.2 percent to a total of $716.2 billion in 1993 and increased at an even faster rate in the first half of 1994?

Stop and think about the jobs and economic growth that would have been generated here in the United States of America if that investment capital had been plowed into rebuilding our Nation instead of boosting offshore competition and production.

It is time for Uncle Sam to help redirect much more of our Nation's limited investment capital into providing good-paying jobs for Americans here at home.

The best place to start is by eliminating various special interest tax breaks and subsidies that reward U.S. companies for investing abroad rather than in the United States and that add tens of billions to our Federal deficit every year. Currently Federal tax and spending policies actually favor overseas investment by U.S.-based multinational corporations in many ways, instead of rewarding domestic investment and job creation.

That is why I have been joined by other members of the Progressive Caucus in sponsoring comprehensive legislation—The Come Home, Corporate America Bill—to cut the corporate welfare for U.S.-based multinational corporations that are busy hollowing out our Nation's production base, exporting good-paying U.S. Jobs, and bilking the American taxpayer all at the same time.

My bill will cut the Federal deficit by $252 billion over the next 5 years by wiping out assorted special interest tax loopholes and subsidies that have been handed out year after year to U.S.-based multinational corporations. These are the same companies that have turned their backs on millions of American working families whose hard work and personal allegiance has been instrumental in building these Fortune 500-type companies into economic powerhouses.

Specifically, my bill will achieve major deficit reduction by cutting the following multinational corporate welfare:

Abolishing the foreign tax credit;

Eliminating tax deferral of income from controlled foreign corporations;

Cracking down on transfer pricing, whereby multinational corporations arbitrarily allocate computed income among their operations in different countries;

Eliminating special tax break that allows companies to exclude 15 percent of their export income generated from special subsidiaries often created merely to claim and process the break;

Repealing tax exemption from U.S. taxes for employees of multinational corporations regardless of whether or not that income is subject to foreign taxation. Companies often equalize tax liabilities so that their employees' after-tax income is the same, thus allowing the company to pad their profits;

Abolishing the Overseas Private Investment Corporation [OPIC] which obligates the American taxpayer to insure and underwrite political risk insurance for companies to invest in scores of foreign countries;

Cutting below-market loan subsidies and fees provided by the Export-Import Bank for foreign purchasers to buy from U.S. companies;

Eliminating tax loopholes allowing earnings stripping and intrafirm transfers that allow companies to inflate their deductible expenses;

Abolishing exemption for foreign investors to avoid paying capital gains tax on the sale of their stock in U.S. corporations; and

Repealing the exemption that allows foreign investors to avoid paying taxes on interest received on bonds issued in the United States.

1995 FINANCIAL STATEMENT

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1995

Mr. SENSENBRENNER. Mr. Speaker, through the following statement, I am making my financial net worth as of March 31, 1995, a matter of public record. I have filed similar statements for each of the 15 preceding years I have served in the Congress.

ASSETS

REAL PROPERTY

Single family residence at 609 Ft. Williams Parkway, City of Alexandria, Virginia, at assessed valuation. (Assessed at $635,700) Ratio of assessed to market value: 100% (Encumbered)—$635,700.00.

Condominium at N76 W14726 North Point Drive, Village of Menomonee Falls, Waukesha County, Wisconsin, at assessor's estimated market value. (Unencumbered)—$94,900.00.

Undivided 25/44ths interest in single family residence at N52 W32654 Maple Lane, Village of Chenequa, Waukesha County, Wisconsin, at 25/44ths of assessor's estimated market value of $461,000—$261,931.81.

Total real property—$975,211.36.

Common and preferred stock	Number of shares	Dollar per share	Value
Firstar Corp	676	29.50	$19,942.00
American Telephone & Telegraph	521.475	51.75	26,986.33
Ameritech	358.295	41.25	14,779.67
Bell Atlantic Corp	236.642	52.88	12,512.45
Bell South Corp	268.1234	59.50	15,953.34
NYNEX, Inc	253.226	39.50	10,002.43
Pacific Telesis, Inc	148	30.25	4,477.00
Southwest Bell, Inc	358.345	42.00	15,050.49
U.S. West, Inc	249.205	40.13	9,999.35
Tenneco Corp	769.56	47.13	36,265.52
Newell Corp	1,676	25.50	42,738.00
General Mills, Inc	1,440	59.63	85,860.00
Kellogg Corp	1,600	58.38	93,400.00
Dunn & Bradstreet, Inc	2,500	52.63	131,562.50
Halliburton Company	1,000	36.63	36,625.00
Kimberly-Clark Corp	29,084	52.00	1,512,368.00
Minnesota Mining & Manufacturing	1,000	58.13	58,125.00
Exxon Corp	2,432	66.63	162,032.00
Amoco Corp	1,362	63.63	86,657.25
Eastman Kodak	1,080	53.25	57,510.00
General Electric Co	2,600	54.00	140,400.00
General Motors Corp	304	44.00	13,376.00
Merck & Co., Inc	15,639	42.63	666,612.38
Warner Lambert Co	1,134	78.25	88,735.50
Sears Roebuck & Co	200	53.38	10,675.00
Ogden Corp	910	20.13	18,313.75
Sandusky Voting Trust	26	90.00	2,340.00
Monsanto Corporation	1,672	80.25	134,178.00
E.I. DuPont de Nemours Corp	600	60.50	36,300.00
Wisconsin Energy Corp	1,022	27.13	27,721.75
Abbott Laboratories, Inc	6,100	35.75	218,075.00
Bank One Corp	2,843	28.50	81,025.50
Unisys, Inc. Preferred	100	39.00	3,900.00
Benton County Mining Company	333		
Houston Industries	150	38.13	5,718.75
Pacific Gas & Electric	175	24.88	4,353.13
Eastman Chemical Co	270	55.63	15,018.75
Dean Whitter Discover	78	40.75	3,178.50
Airtouch Common	148	27.25	4,033.00
Total			$3,906,801.32

Life insurance policies	Face value	Surrender value
Northwestern Mutual #4378000	$12,000.00	$29,187.08
Northwestern Mutual #4574061	30,000.00	69,802.27
Massachusetts Mutual #4116575	10,000.00	5,825.64
Massachusetts Mutual #4228344	100,000.00	123,229.94
Old Line Life Ins. #5-1607059L	175,000.00	22,253.78
Total		250,298.71

Bank and savings & loan accounts	Balance
Bank One, Milwaukee, N.A., checking account	$1,668.94
Bank One, Milwaukee, N.A., preferred savings	3,611.16
Bank One, Milwaukee, N.A., regular savings	735.87
M&I Lake Country Bank, Hartland, WI, checking account	2,788.62
M&I Lake Country Bank, Hartland, WI, savings	607.65
Burke & Herbert Bank, Alexandria, VA, checking account	650.03
Firstar, FSB, Butler, WI, IRA accounts	49,164.09
Total	59,226.36

Miscellaneous	Value
1985 Pontiac 6000 automobile—blue book retail value	$2,000.00
1991 Buick Century automobile—blue book retail value	7,650.00
Office furniture & equipment (estimated)	1,000.00
Furniture, clothing & personal property (estimated)	130,000.00
Stamp collection (estimated)	40,000.00
Interest in Wisconsin retirement fund	52,357.17
Deposits in Congressional Retirement Fund	107,770.83
Deposits in Federal Thrift Savings Plan	60,246.54
Traveller's checks	6,350.00
20 ft. Manitou pontoon boat and 35 hp Force outboard motor (estimated)	5,000.00
17 ft. Boston Whaler boat and 70 hp Johnson outboard motor (estimated)	7,000.00
Total	419,383.54
Total assets	5,610,921.29

LIABILITIES

Nations Bank Mortgage Company, Louisville, KY, on Alexandria, VA, residence, Loan #39758-77—$154,345.34.

Miscellaneous charge accounts (estimated)—$2,000.00.

Total liabilities—$156,345.34.

Net worth—$5,454,575.95.

STATEMENT OF 1994 TAXES PAID

Federal income tax—$98,580.00.

Wisconsin income tax—$21,514.00.

Menomonee Falls, WI, property tax—$2,370.73.

Chenequa, WI, property tax—$12,769.43.

Alexandria, VA, property tax—$6,970.88.

I further declare that I am trustee of a trust established under the will of my late father, Frank James Sensenbrenner, Sr., for the benefit of my sister, Margaret A. Sensenbrenner, and of my two sons, F. James Sensenbrenner, III, and Robert Alan Sensenbrenner. I am further the direct beneficiary of two trusts, but have no control over the assets of either trust. My wife, Cheryl Warren Sensenbrenner, and I are trustees of separate trusts established for the benefit of each son under the Uniform Gifts to Minors Act. Also, I am neither an officer nor a director of any corporation organized under the laws of the State of Wisconsin or of any other state or foreign country.

F. JAMES SENSENBRENNER, JR.,
Member of Congress.