actions were taken. This legislation is identical to a measure I introduced with bipartisan support in the last Congress, and it was the model for a provision I secured in last year's Clean Water Act reauthorization bill, H.R. 3948.

Currently, there is no guarantee that fines or other moneys that result from violations of the Clean Water Act will be used to correct water quality problems. Instead, some of the money goes into the general fund of the U.S. Treasury without any provision that it be used to improve the quality of our Nation's waters.

I am concerned that EPA enforcement activities are extracting large sums of money from industry and others through enforcement of the Clean Water Act, while we ignore the fundamental issue of how to pay for the cleanup of the water pollution problems for which the penalties were levied. If we are really serious about ensuring the successful implementation of the Clean Water Act, we should put these enforcement funds to work and actually clean up our Nation's waters. It does not make sense for scarce resources to go into the bottomless pit of the Treasury's general fund, especially if we fail to solve our serious water quality problems due to lack of funds.

Specifically, my bill would establish a national clean water trust fund within the U.S. Treasury for fines, penalties, and other moneys, including consent decrees, obtained through enforcement of the Clean Water Act that would otherwise be placed into Treasury's general fund. Under my proposal, the EPA Administrator would be authorized to prioritize and carry out projects to restore and recover waters of the United States using the funds collected from violations of the Clean Water Act. However, this legislation would not preempt citizen suits or in any way preclude EPA's authority to undertake and complete supplemental environmental projects [SEP's] as part of settlements related to violations of the Clean Water Act and/or other legislation.

For example, in 1993, Inland Steel announced a $54.5 million multimedia consent decree, which included a $26 million SEP and a $3.5 million cash payment to the U.S. Treasury. I strongly support the use of SEP's to facilitate the cleanup of serious environmental problems, which are particularly prevalent in my congressional district. However, my bill would dedicate the cash payment to the Treasury to the clean water trust fund.

The bill further specifies that remedial projects be within the same EPA region where enforcement action was taken. Northwest Indiana is in EPA region 5, and there are 10 EPA regions throughout the United States. Under my proposal, any funds collected from enforcement of the Clean Water Act in region 5 would go into the national clean water trust fund and, ideally, be used to cleanup environmental impacts associated with the problem for which the fine was levied.

To illustrate how a national clean water trust fund would be effective in cleaning up our Nation's waters, I would like to highlight the magnitude of the fines that have been levied through enforcement of the Clean Water Act. Nationwide, in fiscal year 1994, EPA assessed $35 million in penalties for violations of the Clean Water Act. These penalties represented 27 percent of all penalties assessed by EPA under various environmental statutes.

My bill also instructs EPA to coordinate its efforts with the State in prioritizing specific cleanup projects. Finally, to monitor the implementation of the national clean water trust fund, I have included a reporting requirement in my legislation. One year after enactment, and every 2 years thereafter, the EPA Administrator would make a report to Congress regarding the establishment of the trust fund.

My legislation has garnered the endorsement of several environmental organizations in northwest Indiana, including the Grand Calumet task force, the northwest Indiana chapter of the Izaak Walton League, and the Save the Dunes Council. Further, I am encouraged by the support within the national environmental community and the Northeast-Midwest Institute for the concept of a national clean water trust fund. I would also like to point out that, in a 1992 report to Congress on the Clean Water Act enforcement mechanisms, and Environmental Protection Agency workgroup recommended amending the Clean Water Act to establish a national clean water trust fund.

In reauthorizing the Clean Water Act, we have a unique opportunity to improve the quality of our Nation's waters. The establishment of a national clean water trust fund is an innovative step in that direction. By targeting funds accrued through enforcement of the Clean Water Act—that would otherwise go into the Treasury Department's general fund—we can put scarce resources to work and facilitate the cleanup of problem areas throughout the Great Lakes and across this country. I urge my colleagues to support this important legislation.

BURTON AND TORRICELLI BLAST IDEA OF EASING CUBAN EMBARGO

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Congressman DAN BURTON, chairman of Western Hemisphere Affairs Subcommittee and ROBERT TORRICELLI, ranking minority member of the subcommittee expressed strong opposition to any easing of United States economic sanctions on Cuba.

According to a report in the Washington Post today, several of President Clinton's advisers are recommending that the economic embargo on Cuba be eased, allowing dollar remittances to be sent to Cuba, and making it easier to travel to Cuba. In response, Congressmen BURTON and TORRICELLI have issued the following statement:

We are absolutely dismayed over reports that the Clinton Administration is considering easing certain aspects of the United States economic embargo on Cuba. We believe that any easing of pressure on the Fidel Castro regime will only prolong the suffering of the Cuban people and will send the wrong signal to the dictatorship.

The communist dictatorship in Cuba is one of the most notorious violators of human rights in existence today. Despite the monumental changes in the world over the past six years, Fidel Castro remains as committed as ever in his nefarious, failed ideology.

The loss of over $6 billion a year in subsidies from the Soviet Union has caused the Cuban economy to contract by sixty percent. It is for this reason that Castro, desperate for foreign currency, has been forced to adopt superficial measures aimed at increasing foreign investment. There is no mistaking the fact that Castro is only interested in perpetuating his own dictatorial rule.

At a time when the Castro regime is clearly on its last leg, the United States should maintain pressure and resist any calls to lift the embargo. This was the clear message of the Cuban Democracy Act of 1992, which the President supported; and it is the aim of the Cuban Liberty and Democratic Solidarity Act (Libertad), which we recently introduced.

Any easing of the U.S. embargo at this time would send the absolutely wrong message to Fidel Castro, and to the Cuban people. We will fiercely resist any such move.

PRIVATE PROPERTY PROTECTION ACT OF 1995

SPEECH OF

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 3, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 925) to compensate owners of private property for the effect of certain regulatory restrictions.

Mr. COLEMAN. Mr. Chairman, I rise today in opposition to the bill H.R. 925. I am disappointed because there were a series of important measures that would have modified the legislation in such a way that I could have supported it. Unfortunately, those measures failed, and the bill that we are left with has extremely alarming implications. Were this legislation enacted, the Federal Government would be saddled with a huge new entitlement program, with unknown costs. Not only will this legislation be tremendously expensive in terms of Federal dollars, but the limitations that it will impose upon the regulatory power of Federal agencies could exact a huge toll upon human health and the environment.

Many of the proponents of this bill have tried to argue that the decision before us is essentially a constitutional question. They have frequently read from the fifth amendment provision which bars the Federal Government from taking private property without just compensation. But H.R. 925 raises a constitutional question only insofar as the bill requires us to expand upon how this body chooses to define ''takings.'' In the past, this interpretation has been left to the jurisdiction of the courts. As the takings question is fundamentally one of constitutional interpretation, the court system is probably the most appropriate forum for determining the proper answer to this question.

Yet, the precedent adhered to by the Supreme Court dictates that Government action must reduce the value of private property by almost 90 percent before the owner can be compensated. Many of my colleagues felt that such a threshold was unreasonably high, and wished to take steps to compensate property owners suffering large financial losses as the result of regulatory action. I strongly supported such initiatives. I feel that it is the proper role of the Congress to craft legislation to meet the changing needs of our society in a manner consistent with the intent of the Framers of the Constitution. I firmly believe that property owners should not be subject to undue financial burdens as a result of Government actions.