What is the liberal Democratic plan for Medicare? Nothing. Absolutely nothing.

MEDICARE AND OLDER WOMEN

(Ms. BROWN of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BROWN of Florida. Mr. Speaker, Medicare is a social contract between the Federal Government and the American people. Nearly 20 million older women, many of them in Florida, have come to rely on quality health care under this program.

However, the sad fact is that women age 65 and over already spend an average of $2,827 for acute health care alone—33 percent of the median annual income of older women.

We must support and strengthen Medicare so that it can do more—not less—especially toward paying for prescription drugs and long-term care.

Until there is comprehensive health care reform, the Medicare Program must be protected from cuts that will jeopardize older women.

THE MONCADA BARRACKS

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, tomorrow marks the 42d anniversary of Castro's nighttime attack on the Moncada barracks in Santiago de Cuba, an event which led to the emergence of Castro's rebel army and his ultimate triumphant, yet, as we were later to learn, tragic ride into Havana in 1959.

Little did many Cubans know that what occurred that night in 1953 was only the preamble to a tyranny that Cuba had not seen before. Tomorrow night my colleagues, the gentleman from Florida [Mr. DIAZ-BALART], the gentleman from New Jersey [Mr. MENENDEZ], and I will host a dinner for our congressional colleagues with the participation of four victims of this 36-year-old tyranny.

Among them will be three former Cuban political prisoners who combined spent over 50 years in prison, one of them being a veteran of the Moncada attack. Also joining us will be a survivor of the latest indiscriminate attack last year by Castro on a tugboat filled with Cuban refugees.

These four individuals will offer first-hand accounts of Castro's thirst for political control of the island and the totalitarian methods he uses to maintain that control.

I urge my colleagues to join us tomorrow night.

NRA/WACO

(Mr. GUTIERREZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUTIERREZ. Mr. Speaker, when the Republicans cut the size of committee staffs at the beginning of this Congress, I was worried some congressional work would not get done.

Then, I figured out how the new GOP chairmen were going to manage.

As this week's Judiciary Committee hearings prove, they'll simply turn to the National Rifle Association for help.

But what kind of hearings did the NRA help with?

With hearings on welfare reform?

With hearings on health care?

No—with the Waco hearings.

Hearings where the actions of law enforcement agents were called into question—the same agents that the NRA calls thugs.

Hearings where laws combating the dangerous proliferation of guns are a central issue—the same laws that the NRA wants to wipe off the books.

When I entered Congress 2 years ago, I thought that the gun lobby had too large a role to play in the backrooms of Congress.

Now, it's obvious that they've moved from the backrooms to the committee rooms.

We do not even have to call them the gun lobby these days—because now, they do not even have to do their dirty work in the lobbies anymore.

MEDICARE AT A CROSSROADS

(Mrs. SEASTRAND asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SEASTRAND. Mr. Speaker, Medicare is at a crucial crossroads. President Clinton's Medicare board of trustees stated in their April 1995 report, and I quote ". . . the fund is projected to be exhausted in 2001 . . ." In other words, if we do nothing—as the liberal Democrats suggest—millions of Medicare recipients will be denied services. But, the obstructionist liberals would rather criticize the strengthening of Medicare than do something to save it. Medicare is a large Government bureaucracy that does not offer the degree of choice seniors deserve. Republicans are going to strengthen and simplify Medicare by controlling its skyrocketing costs and giving seniors more choices in services. Everyone agrees that Medicare is going broke, but only the Republicans in Congress are posing a solution to that problem. I invite my colleagues from the other side of the aisle to end their empty rhetoric and join our effort to save Medicare.

□ 1020

PERMISSION FOR CERTAIN COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING THE 5-MINUTE RULE

Mr. HOKE. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole House under the 5-minute rule: the Committee on Agriculture, the Committee on Banking and Financial Services, the Committee on Commerce, the Committee on Economic and Educational Opportunities, the Committee on Government Reform and Oversight, the Committee on House Oversight, the Committee on International Relations, the Committee on the Judiciary, the Committee on Resources, the Committee on Science, the Committee on Transportation and Infrastructure, and the Permanent Select Committee on Intelligence.

It is my understanding that the minority has been consulted and that there is no objection to these requests.

The SPEAKER pro tempore (Mr. MCINNIS). Is there objection to the request of the gentleman from Ohio?

Mr. MINETA. Mr. Speaker, reserving the right to object, it is my understanding that our Democratic leadership has been consulted on this matter and we have no objection to this request, so I withdraw by reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

CORRECTIONS CALENDAR

The SPEAKER pro tempore. This is the day for the call of the Corrections Calendar.

The Clerk will call the bill on the Corrections Calendar.

SAN DIEGO COASTAL CORRECTIONS ACT OF 1995

The Clerk called the bill (H.R. 1943) to amend the Federal Water Pollution Control Act to deem certain municipal wastewater treatment facilities discharging into ocean waters as the equivalent of secondary treatment facilities.

The Clerk read the bill, as follows:

H.R. 1943

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "San Diego Coastal Corrections Act of 1995".

SEC. 2. COASTAL DISCHARGES.

Section 304(d) of the Federal Water Pollution Control Act (33 U.S.C. 1314(d)) is amended by adding at the end the following:

"(5) COASTAL DISCHARGES.—For purposes of this subsection, any municipal wastewater treatment facility shall be deemed the equivalent of a secondary treatment facility if each of the following requirements is met:

"(A) The facility employs chemically enhanced primary treatment.

"(B) The facility, on the date of the enactment of this paragraph, discharges through an ocean outfall into an open marine environment greater than 4 miles offshore into a depth greater than 300 feet.

"(C) The facility's discharge is in compliance with all local and State water quality standards for the receiving waters.

''(D) The facility's discharge will be subject to an ocean monitoring program acceptable to relevant Federal and State regulatory agencies.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania [Mr. SHUSTER] and the gentleman from California [Mr. MINETA] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. SHUSTER].

Mr. SHUSTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge strong support of H.R. 1943, the San Diego Coastal Corrections Act of 1995.

This bill amends the Clean Water Act to allow San Diego a qualified waiver from the so-called ''secondary treatment'' requirement.

Secondary treatment is a uniform, technology-based requirement involving removal of solids and biochemical oxygen demand that all sewage treatment plants must meet under the Clean Water Act, whether or not solids or biochemical oxygen demand would cause an environmental problem in the receiving water.

For San Diego, this mandate makes absolutely no sense.

Scientists agree that the city's discharge is not harming the ocean environment. San Diego's outfall extends 4½ miles into the ocean and discharges into 310 feet of water. The swift currents easily disperse the effluent.

Because of these factors, scientists have determined that secondary treatment for San Diego would provide no measurable environmental improvement.

Complying with the secondary treatment mandate will cost the city at least $2 billion, and possibly as much as $4.9 billion to comply with all of the requirements EPA has sought to impose on the city in return for a settlement of its lawsuit against the City for failure to achieve secondary treatment.

San Diego's situation has received extensive scientific review because of this EPA lawsuit. After reviewing all of the evidence, the Federal district judge held that there would be no environmental benefit to forcing San Diego to meet secondary treatment. However, the judge cannot waive a statutory requirement. That is something we must do.

San Diego's situation also has come to the attention of the Speaker. After reviewing all the facts, the Speaker decided that a waiver from secondary treatment for San Diego is a prime example of the type of bill to be considered under the new Corrections Calendar.

H.R. 1943 is identical to a provision in the House-passed clean water bill, H.R. 961.

It also is identical to a provision in the Boehlert-Saxton clean water substitute, so the House has already spoken on this issue. We should reinforce it today.

The San Diego waiver is widely supported.

Let me emphasize while Federal bureaucrats in Washington say this must be done, EPA in California, the California EPA, as well as the Association of Metropolitan Sewage Agencies, say this is unnecessary. This is a prime example of the bureaucrats in Washington imposing multibillion-dollar costs on the city which are absolutely unnecessary. It is a good bill. I am glad that it is the first bill brought up under our new Corrections Calendar, and I urge all of my colleagues to support this legislation. Send a message to the bureaucrats in Washington.

Mr. Speaker, I have here letters in support of this legislation from the California EPA, the Governor of California, and the Association of Metropolitan Sewage Agencies, which I will include in the RECORD.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY,
Sacramento, CA, July 21, 1995.

Hon. BUD SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: The purpose of this letter is to convey the California Environmental Protection Agency's (Cal/EPA's) support for H.R. 1943, the San Diego Coastal Corrections Act of 1995. This bill would deem San Diego's Point Loma Wastewater Treatment Plant to be the equivalent of secondary treatment by virtue of its chemically enhanced primary treatment combined with an exceptionally long and deep ocean outfall.

This support is in recognition of the demonstrated ability of the Point Loma treatment plant to comply with California State Ocean Plan standards. During 1994 the treatment facility met every requirement of its National Pollutant Discharge Elimination System (NPDES) Permit without fail, earning it the distinction of receiving a Gold Award from the Association of Metropolitan Sewerage Agencies. This award could only have been earned with a strict industrial source control program, a well-run treatment plant, and an effective ocean outfall.

The California State Ocean Plan, which is tailored to provide strict standards to protect the marine environment, was developed in 1972 by the State Water Resources Control Board. It was prepared by a team of scientists and was adopted only after a series of public hearings and full disclosure and review by all interested parties. It was also approved by the U.S. Environmental Protection Agency (U.S. EPA). Since the adoption of the initial plan, it has undergone periodic review and been revised in 1973, 1978, 1983, and 1990. This document (now under revision, for completion in 1997) is the basis for NPDES Permits for ocean discharges within California, and contains over 200 standards—making it the most comprehensive state-adopted plan in the nation. There has been some concern expressed in the past about whether or not the Ocean Plan Standards are enforceable in federal waters more than four miles offshore. However, H.R. 1943 clearly requires compliance with Ocean Plan Standards and therefore would be applicable to the Point Loma outfall despite its termination in federal waters.

There have been public allegations that under HR 1943 San Diego would be allowed to discharge raw sewage or partially treated sewage. That simply is not the case. The effluent from the Point Loma treatment plant is required to meet all State Ocean Plan standards, and will continue to be permitted by California on this basis. The permit will be renewed every five years, with full public review and input. In addition, San Diego is required to continue its in-depth monitoring program to ensure compliance with all standards and full protection of the ocean. Reports are submitted monthly, quarterly, and annually providing all of the data that confirms compliance with permit requirements and attainment of the Ocean Standards.

I understand that some groups, including the U.S. EPA, support the Ocean Pollution Reduction Act of 1994 but oppose HR 1943. In a July 11, 1995 letter to you, the U.S. EPA Assistant Administrator for Water, Mr. Bob Perciacepe, states that the bill is ''unnecessary, eliminates public review, and is scientifically unsound.'' Nothing could be further from the truth. The bill is necessary to allow San Diego to plan for the future without the vagaries of federal bureaucratic changes; it includes the same public review of the permit and scientific basis as the Ocean Pollution Reduction Act.

Mr. Perciacepe's letter also states that H.R. 1943 conflicts with the National Research Council's 1993 report, *Managing Wastewater in Coastal Urban Areas.* He says that the bill ''would provide for a blanket exemption from secondary treatment, even if changed circumstances or evolving science raise reasonable questions about the continued wisdom of the waiver'' and that this conflicts with the report's caution to allow flexibility to respond to new information. My understanding is that H.R. 1943 includes precisely the flexibility that the National Research Council suggests, allowing the continuously-updated, site-specific criteria of the State Ocean Plan to apply—rather than the one-size-fits-all secondary treatment requirement mandated by the Clean Water Act over 20 years ago.

In summary, we urge support for H.R. 1943 because current monitoring and data analysis demonstrates that the ocean waters offshore of the Point Loma treatment plant are fully protected. Continuing compliance with the California State Ocean Plan—including changes to the Plan reflecting evolving and increasing scientific knowledge—will assure that the all necessary protection remains in full force in the future.

Sincerely,

JAMES M. STROCK.

GOVERNOR PETE WILSON,
Sacramento, CA, July 18, 1995.

Hon. NEWT GINGRICH,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: The State of California supports H.R. 1943, the San Diego Coastal Corrections Act of 1995. Your leadership in establishing Corrections Day to expeditiously address unnecessary regulations, like the one San Diego has endured for over 20 years, is recognized and appreciated by the citizens of this state, the ratepayers in the San Diego region, and federal taxpayers everywhere.

The question of whether or not San Diego should implement secondary sewage treatment was an issue during my tenure as mayor—and it is a tribute to Mayor Susan Golding that this cause is being carried on despite almost overwhelming bureaucratic and legal challenges presented by the U.S. Environmental Protection Agency and others.

With the passage of H.R. 1943, San Diego will continue to monitor the ocean that is such a precious resource to the community, will continue to have oversight from the U.S. EPA and California's EPA, will comply with rigorous requirements of the California

State Ocean Plan, and will save $3 billion by not having to build unnecessary secondary treatment facilities.

Thank you for your support of this bill and for establishing a procedure for correcting this and other unnecessary regulations.

Sincerely,

PETE WILSON.

ASSOCIATION OF METROPOLITAN SEWERAGE AGENCIES,
Washington, DC, July 24, 1995.

Hon. BUD SHUSTER,
Chair, Committee on Transportation and Infrastructure, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SHUSTER: I write today to express AMSA's support for H.R. 1943, the San Diego Coastal Corrections Act of 1995. AMSA believes that unique ecosystems often require site-specific solutions to effectively protect water quality. H.R. 1943 provides such a solution by ensuring protection of our coastal waters through the application of site-specific water quality-based criteria for qualifying discharges to marine waters.

The legislation requires San Diego's publicly-owned treatment works (POTWs) to work within the existing permitting and enforcement provisions of the Clean Water Act, and ensure that monitoring and reporting requirements currently in place would continue. Under the legislation, pretreatment requirements and all other provisions of the Clean Water Act would also remain intact. H.R. 1943 will allow San Diego to allocate scarce resources to areas of greatest concern while providing no relaxation of water quality standards and no exemption for effluent toxic pollutant limitations.

Site-specific criteria for marine dischargers is cost-effective and environmentally-sound. For this reason, AMSA urges Congress' support of H.R. 1943.

Sincerely,

KEN KIRK,
Executive Director.

Mr. Speaker, I reserve the balance of my time.

Mr. MINETA. Mr. Speaker, I yield myself such time as I may consume.

(Mr. MINETA asked and was given permission to revise and extend his remarks.)

Mr. MINETA. Mr. Speaker, I am opposed to this bill. It is unnecessary and an affront to the communities that most of us represent. In addition, it fails to meet the criteria for corrections legislation as set by the Speaker's guidelines. H.R. 1943 should not be approved by the House, and certainly not under Corrections Day procedures.

THE BILL IS UNNECESSARY

The issue is not whether San Diego should receive a waiver from secondary treatment. San Diego will receive its waiver. Under legislation passed by Congress and signed by President Clinton last year, San Diego alone got the right to seek a waiver, and has applied for a waiver from secondary treatment. EPA has publicly announced that it fully expects to grant the waiver in the near future, after the normal process which includes the opportunity for public comment.

I have observed a common thread in many of the arguments offered in support of H.R. 1943: There is a steadfast commitment to ignoring the legislation that was enacted into law last year which addressed San Diego's need for relief from secondary treatment requirements.

For example, a ''Dear Colleague'' in support of H.R. 1943 claims that ''The fact is, there is no disagreement that San Diego needs this legislation. * * *'' That simply is not true. There is considerable disagreement as to San Diego's need for this legislation, as evidenced by this debate.

Some acknowledge the existence of last year's fix, but try to make the case that H.R. 1943 is necessary because last year's enacted San Diego bill is inadequate. The concern is that last year's bill does not grant a permanent exemption from secondary treatment.

But why should San Diego get a permanent waiver, when not one single waiver recipient in the history of the Clean Water Act has received a permanent waiver of this type?

Is it the cost of reapplying? No. Most of the cost of periodic re-application and review is the cost of monitoring, and that cost will be incurred with or without H.R. 1943.

Is it the risk that San Diego may lose its waiver during a 5- or 10-year review? No. Every other waiver recipient is required to demonstrate that its waiver continues to be appropriate in view of changing conditions or new information. And, none is known to have lost its waiver in the course of such a review. Moreover, if new information or changed conditions prove that the waiver is harming human health, then sound science would dictate that there be an opportunity to reconsider the terms of the waiver.

It also has been suggested that H.R. 1943 is needed because even if, as expected, EPA approves the waiver this August, San Diego will be in the same position as it was previously when EPA reversed a prior tentative approval.

This assertion ignores the fact that San Diego's first effort at getting a secondary waiver failed because the State of California opposed the plan as inconsistent with the State's ocean standards. San Diego then withdrew its waiver application, knowing that, under the law then in effect, to do so was to forever forgo any further option of obtaining a waiver.

This time around, however, the State of California supports the waiver application San Diego has already made under last year's bill.

The simple truth is that no further legislative action is necessary for San Diego to be relieved from the secondary treatment requirements of the Clean Water Act.

This bill is not about San Diego not doing secondary treatment. San Diego is about to receive a waiver of secondary treatment. This bill is about allowing San Diego to do substantially less treatment than it is doing today. This is unconscionable. That is why I will offer a motion to recommit with instructions to adopt the amendment Mr. FILNER offered in committee, which would assure that San Diego would at least not backslide from where it is today.

All of the supporters of this bill argue that San Diego's discharge is not harmful—but they are referring to San Diego's current discharge, and this bill allows a massive rollback of treatment. My motion will require San Diego to meet its current level of treatment, nothing additional, and will not require San Diego to achieve secondary treatment. If San Diego's sewage is not harmful at today's levels, then San Diego should continue today's level of treatment and not be allowed to increase its pollution in the ocean.

THE BILL IS UNFAIR

A second issue I will raise, Mr. Speaker, is the inequity of taking up H.R. 1943 when there are far greater issues to be addressed in the Clean Water Act. H.R. 1943 is an affront to the communities that most of us represent.

At the same time that San Diego is getting special treatment, less than 1 year after it received special treatment allowing it to apply for a waiver, the Republican leadership is supporting a provision in the VA/HUD appropriations which denies $1.4 billion in grants to States and cities to implement Clean Water Act programs. All of our cities and States continue to bear the burden of State and Federal requirements to improve water quality.

Funding for fiscal year 1996 for every city and State is being held hostage by the Appropriations Committee for reauthorization of the Clean Water Act, yet San Diego is singled out for its own private relief bill. San Diego does not have to wait for Clean Water Act reauthorization—and it is the one community which doesn't need any legislation.

Why is it that San Diego, which will receive a waiver from secondary treatment with no further legislation, is getting a bill considered separately, and yet thousands of communities which are in technical violation of the law for failure to have stormwater permits cannot receive separate legislative attention?

Why is it that the hundreds of cities looking for approval of EPA's combined sewer overflow policy cannot receive separate legislative action?

None of these communities will receive any assistance by the action which we are taking today. Thousands of communities which need legislation are being told that they must wait for the larger bill to be considered. Yet the one city that needs no further legislative action to receive the relief which it wants is getting a special bill, just for it, for the third time in less than a year. The thousands of other communities can wait.

H.R. 1943 FAILS TO MEET THE CRITERIA FOR CORRECTIONS LEGISLATION

I also want to note, Mr. Speaker, that H.R. 1943 fails to meet the substantive and procedural requirements for bills to be considered under the corrections procedure. For example, it

does not ''address rules, regulations, statutory laws or court decisions which impose a severe financial burden, are ambiguous, arbitrary, or ludicrous.'' Nor does it ''aid the average family, small business, worker, or promote the well-being of all.'' EPA has already announced that San Diego will receive a waiver of secondary treatment requirements, thereby saving San Diego as much as $1 billion.

It has been suggested that the bill meets corrections criteria because it addresses a court decision and a statutory requirement that impose heavy financial burdens on the taxpayer. This assertion may have been compelling were it not for the fact that last year's enacted bill has already relieved the citizens of San Diego of this burden, by providing for a waiver of secondary requirements.

CONCLUSION

This bill is completely unnecessary, it is an injustice to the majority of communities and citizens that each of us represents, and it is motivated solely by politics.

I recognize that the bill may well pass this House anyway, but it will not pass for the right reasons. That is why I will offer a motion to recommit upon conclusion of the debate. My motion to recommit will simply instruct that the amendment Mr. FILNER offered in committee, assuring that San Diego at least would provide no less treatment than it provides today, be made a part of this bill. My motion will reveal what this bill is really all about. If the proponents just want a secondary waiver, they will support my motion to recommit with instructions. But if what they really want is for San Diego to do less treatment than it is doing today, then they will oppose my motion. We will soon know what this is all about.

If my motion to recommit is defeated, then what we have here is a bill to allow San Diego to rollback its existing treatment, not a bill just to excuse San Diego from improving its treatment levels. And a bill to rollback existing treatment should definitely be defeated.

Mr. Speaker, some background is useful here. In passing the Clean Water in 1972, Congress faced the question of whether to require all cities to do the same level of sewage treatment, or to base treatment requirements on the local conditions of the water body into which the treatment works discharged. Congress decided that the most reasonable approach was to require all cities to do a basic level of treatment—referred to as secondary treatment—and then subsequently and only where clearly necessary to protect receiving waters, standards could be raised to higher levels of treatment. Under the act, all communities were required to achieve secondary treatment by July 1, 1988. The majority of communities have not been required to do more, although some, including my own city of San Jose have gone considerably beyond secondary treatment to tertiary treatment.

The secondary treatment requirement, and the corresponding basic level of treatment for industrial dischargers, has accounted for most of the success under the Clean Water Act, which is widely acknowledged to be the most successful of the environmental statutes. Key to that success is that a basic level of treatment was required up front, so that cleanup could begin before the endless litigation which has plagued most environmental programs. More difficult questions of how much treatment was enough were postponed until later, and in most instances have not needed to be raised at all.

In the 1977 amendments to the act, Congress created the section 301(h) waiver window, under which communities with deep ocean outfalls could apply for and receive a waiver from the secondary treatment requirement if they could show that there would be no harm to health and the environment as a result. Communities could only submit waivers from 1977 through 1982, although waiver applications submitted within the window could be acted on after 1982.

Approximately 40 cities, many of them small communities adjacent to close-in deep waters along the Alaska and Maine coasts, have received the waivers. Unfortunately a few larger coastal cities, with more dubious claims of having deep ocean outfalls, wasted years in failed attempts to qualify for the waiver, and as a result are now far behind where most communities are and are having to play a very expensive game of catch-up. San Diego is on of those cities.

San Diego applied for a secondary waiver during the original section 301(h) application period in 1978, at a time when its ocean outfall was approximately 2 miles out and 200 feet deep. It was originally not EPA, but the State of California under Governor Deukmejian, which opposed San Diego's application as inconsistent with the State ocean plan. California based that decision on the fact that the outfall was in a major kelp bed which was actively used for recreation, and on the fact that it did not consider the existing outfall pipe to be reliable. Several years later, California's concerns were borne out when the outfall pipe burst, spewing sewage which washed ashore forcing the closure of 4½ miles of beaches.

Based on the negative findings of the State of California, President Reagan's administration gave San Diego's waiver application a tentative denial in 1986.

At this point, San Diego had the option of revising its waiver application and continuing to pursue it. It could have, for example, done what it has done in the 1990's, which is rebuild its outfall pipe to a deeper point farther out (it is now approximately 4.5 miles out and 310–320 feet deep) and meet the waiver requirements in that way. San Diego considered that option, but in 1987 rejected it in favor of keeping its existing outfall and investing instead in secondary treatment. As a result, in 1987, San Diego voluntarily withdrew its waiver application, knowing that under law it would as a result be committed to achieving secondary treatment and could not not go back to seeking a waiver.

If San Diego had not withdrawn its application, no waiver legislation would ever have been necessary for San Diego. Only because it first decided to seek a waiver, then in 1987 reversed itself and decided it did not want a waiver, then in the early 1990's reversed itself again and decided it did want to waiver, did Congress have a face the question of providing special legislation for San Diego.

Thus, if the purpose of Corrections Day is to correct ill-advised Federal regulatory or legislative requirements, San Diego's secondary treatment is hardly an appropriate case. The issue of San Diego's secondary treatment stands more for vacillating and inconsistent municipal decisionmaking than it does for Federal intrusiveness and inflexibility. The problem here was not inflexible Federal laws or regulations. Federal law was flexible in that it gave San Diego the opportunity to deal with the objections of the State of California either by going to secondary treatment or by extending its outfall pipe. San Diego's problem was that it could not stick with one decision or the other; it was not capable of handling the flexibility it was given.

San Diego is a better case for giving less flexibility to municipalities than it is for giving more. And I consider that very unfortunate, because as a former mayor myself I have long worked to achieve greater flexibility for municipalities. What has needed correcting here has been local, not Federal.

When San Diego reversed itself for the second time and sought, in the last Congress, a legislatively granted waiver, it made several key representatives as to why it should be accorded the special treatment of having the waiver window reopened for it. First, it represented that it required only a slight deviation from secondary treatment standards and only with respect to biological oxygen demands [BOD]. It would continue to meet, for example, the secondary treatment standard for 85 percent removal of total suspended solids. Second, it would reduce the total amount of its discharge by undertaking a major reclamation project, by which a significant minority of San Diego's total wastewater would be reclaimed and used for various landside purposes. And third, by obtaining a waiver it would be subject to the same kinds of monitoring and periodic renewal that any waiver holder and any permit holder is subject to in order to assure that there are no substantial deviations.

In the course of considering that legislation during 1994, San Diego again began changing its mind as to what it was willing to do. As a result, the bill enacted in the fall of 1994, at San Diego's insistence, relaxed not only the BOD standard from 85 to 58 percent, but also lowered the total suspended solids standard from 85 to 80 percent; and it reduced the amount of reclamation and extended the date by which it would achieve that reclamation, as compared to San Diego's initial representations.

The bill Congress enacted in the fall of 1994 was what San Diego said in the fall of 1994 it could do and was willing to do. Yet now in 1995, San Diego is back trying to get out of what it had just said it would do. Under H.R. 1943, San Diego would receive in effect a permanent exemption from secondary treatment—no conditions, no review, no questions asked. Not only would the secondary treatment standard be tossed aside, but so would the 58 percent BOD standard and the 80 percent total suspended solids standard. Anything that was chemically enhanced primary treatment would qualify. That simply means screening out the larger solids and adding chemicals to the rest—basically untreated sewage except for the addition of chemicals. Any requirement for reclamation would be tossed aside. And there would be no requirement for periodic review. It is important to note that this bill would allow San Diego to provide significantly less treatment than it provides today.

So the issue presented by H.R. 1943 is not whether San Diego should have to do secondary treatment—it will not have to do secondary treatment whether this bill is enacted or not. The issue is whether San Diego should have to do the things it proposed a few months ago that it should do in lieu of secondary treatment and whether it should even have to continue the low level of treatment it provides today.

I should also note that it is sometimes claimed that the Scripps Institution of Oceanography supports this bill. That is not true, and I have reconfirmed that with the director of the institution. There are a couple of employees of the institution who, as individuals, endorsed a secondary waiver for San Diego, but whatever their position may be, they do not speak for Scripps.

Let me conclude with these points. This is not a case of excessive or rigid Federal requirements needing to be corrected. The problem here is that Federal law—section 301(h) in particular—gave San Diego a degree of flexibility which it could not handle. First San Diego wanted a waiver, then it rejected the waiver option, then it wanted the waiver and needed legislation to get it, then it wanted legislation to eliminate the commitments it had devised to get the wavier legislation.

Second, San Diego is already getting its secondary waiver pursuant to legislation enacted last year. No further legislation is necessary or advisable; it's only purpose is to even further weaken the limited protections in the waiver San Diego is about to get under last year's bill. Last year San Diego wanted and got a waiver. This year it wants carte blanche to pollute as it sees fit, and it shouldn't get it.

Third, it is not as though Corrections Day is necessary for there to be congressional consideration of this bill. Provisions similar to H.R. 794 have already been included in section 309 of H.R. 961, which was approved by the House. This situation hardly stands for the proposition that without Corrections Day issues like San Diego's sewage treatment cannot get expeditious legislative action. This issue has already been considered and passed through this committee and the House as part of H.R. 961.

The concept of Corrections Day is that there should be an opportunity to repeal Federal requirements which are so clearly ill-advised that their repeal would be noncontroversial and approved by an overwhelming and bipartisan vote. This bill does not meet those parameters. This bill is not noncontroversial and I oppose it.

Mr. Speaker, I reserve the balance of my time.

Mr. SHUSTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from New York [Mr. SOLOMON], the distinguished chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I commend the gentleman from Pennsylvania [Mr. SHUSTER], the chairman of the committee, for bringing this first corrections day procedure to the floor, and I thank the gentleman from Pennsylvania [Mr. SHUSTER] for yielding me the time.

Mr. Speaker, I rise in support of the first corrections day bill of the 104th Congress, H.R. 1943 represents the correction of a dumb government action and is an excellent start to the corrections process for this Congress.

The concept of corrections day originated with the Speaker of the House earlier this year. At that time, the Speaker created a Corrections Day Task Force to formulate a proposal to bring legislation to the House floor to fix arbitrary, ambiguous, and ludicrous laws, government regulations, or actions.

Mr. Speaker, that task force went to work and produced an excellent proposal. The task force was very ably chaired by the gentlelady from Nevada, Mrs. VUCANOVICH, and also consisted of Representatives ZELIFF and MCINTOSH. These Members held countless meetings and participated in several committee hearings in the appropriate committees of jurisdiction to refine the corrections concept.

The Rules Committee eventually took up their product and held hearings and a markup of House Resolution 168, a House rules change to abolish the Consent Calendar and create a Corrections Calendar.

Mr. Speaker, that resolution passed the House on June 20, 1995, on a bipartisan basis, by a vote of 271 to 146.

The corrections day process agreed to by the House on that day meets the goals established by the Speaker and preserves the deliberative aspects of the legislative process.

The corrections procedure protects the committee system in the House, in which detailed analysis and consideration of legislation takes place. To be eligible for corrections day, bills must be reported by a primary committee of jurisdiction and placed on the Union or House calendar.

The procedure also requires a three to five vote to pass, ensuring that only bipartisan measures will brought to the floor.

To many Americans, this may sound like inside baseball. But the fact is, Mr. Speaker, this procedure will have real results for real people in real towns.

My constituents in upstate New York have been saddled with the costs of unwise regulations generated by this Government for years.

Today, on a bipartisan basis, the House is initiating an innovative new technique to repeal these costly dumb rules.

For 10 years, the city of San Diego has been involved in a dispute over an exemption from the so-called secondary treatment requirement for sewage discharged miles out into the ocean under the Clean Water Act. The San Diego treatment system has been examined by scientists and the California Environmental Protection Agency and both support the need for this legislative exemption.

According to the Congressional Budget Office, estimates to upgrade the San Diego facility to comply with this arbitrary rule could amount to several billion dollars. Additionally, the city estimates that its recent application for a waiver from the rule cost $1 million to prepare. Enactment of this legislation will save potentially billions in construction and other costs.

Mr. Speaker, I am pleased to support this legislation and I am proud to be considering it under the new corrections procedure.

I strongly urge support for this very first corrections day bill to come before this House. Please come over here and vote unanimously for it. We will send these bureaucrats a message.

□ 1040

Mr. MINETA. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee [Mr. CLEMENT], a very distinguished colleague.

(Mr. CLEMENT asked and was given permission to revise and extend his remarks.)

Mr. CLEMENT. Mr. Speaker, I rise as a strong supporter of the clean water bill when it passed the House last May to urge my colleagues to vote ''no'' on the bill before us today. Let me take a moment to explain why I oppose the

bill before us today even though I supported the larger bill from which it was taken.

I supported the clean water bill because it contained key provisions which were very important to my constituents. Most Members who supported the bill did so for the same reason. For some Members the specific provision their constituents wanted was wetlands reform, for others it was agricultural runoff issues, and still for others, it was relief for their municipalities on the combined sewage overflow issue or on the stormwater permits issue.

Whatever the individual Member issue, there was something in that bill that was very important to each of us and to our constituents.

Now we see the San Diego provision being split off from the rest of the bill for priority treatment. The San Diego provision does none of the things that our constituents want. What San Diego wanted they already got last year: special legislation so they could get a waiver from secondary treatment. They already have that special treatment.

Now we are being asked to ignore our constituents and what they want, but go ahead and give special legislation to San Diego, which already has it.

If your constituents really need wetlands reform, or moderation on agricultural runoff issues, or a break on combined sewage overflow or municipal stormwater permits, then I suggest you vote ''no'' on any bill which gives priority treatment to somebody else's provision in the clean water bill and ignores yours. If we are going to start splitting the clean water bill apart, it ought to solve more than one city's problems. I am sure you will agree with me that our problems are at least as important as San Diego's.

I urge my colleagues to vote ''no'' on H.R. 1943 and on any other clean water split-offs that do not do anything for your constituents.

Mr. SHUSTER. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Speaker, this is not special for San Diego. This is special for the taxpayers of the United States, because they are the people that are going to be paying this $2 billion for an unnecessary secondary treatment.

This is exactly what Sam Donaldson was talking about the other day when he stood in the middle of the Arizona desert in his special on regulation and talked about the massive protection for, ''aquatic creatures, water creatures,'' that EPA was thrusting on Arizona. He went to EPA and said, ''Show me the aquatic creatures in the middle of the Arizona desert.'' They could not show it to him. They could not show him a reason for the regulation.

Here we have in San Diego the best ocean scientists in the world at Scripps saying you do not have to have secondary regulation. I will say to my friend, the gentleman from California [Mr. MINETA], I have been to the meetings with EPA sitting there saying, ''We don't care what they say, it says right here in the law you're going to build a $2 billion plant. By golly, you're going to build it.''

This helps all the taxpayers.

It has been said that this is going to prejudice in some way other communities. This is not going to prejudice other communities. This is going to pave the way for other communities to lift their unnecessary regulation. Believe me, all of us are going to be voting right with you. This is a great symbol of common sense and science meeting dumbbell regulation and overtaking it.

Please vote ''yes.''

Mr. SHUSTER. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. DREIER].

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I thank my friend, the distinguished chairman of the committee, for yielding me this time.

Today is a great day for the people's House, because this concept, which was first initiated by Speaker GINGRICH following a conversation with the mayor of San Diego and several other State and local elected officials, established corrections day. The concept being very simply that we should look at some of the most preposterous ideas that are out there by way of Government regulation, that have been imposed from Washington, DC on State and local governments and other entities, and deal with them. A three-fifths vote is required, and we will have from this institution taken our action to actually eliminate it.

This issue has raised some controversy on the other side of the aisle, and some statements have been made that frankly need to be addressed. My very good California colleague from the San Jose area up north has said that this is pure politics. Well, Mr. Speaker, this is not pure politics.

As was said by the gentleman from Tennessee, this was addressed earlier by a vote when this institution was under the control of what is now, I am happy to say, the minority party. When the Democrats controlled this institution, they took action providing this waiver, yet the Environmental Protection agency has still been screwing around with this.

We have now gotten to the point where we want to take the firm action that is necessary to deal with it, and that is what we are doing today. It has not been handled adequately. To call it pure politics is way off base. Why? Because the bipartisan effort has come together to deal with this question.

Dr. Ravel, in his last words to BRIAN BILBRAY, who has worked long and hard on this, who was a member of the San Diego County Board of Supervisors, said that this issue needs to be addressed. He is not some right-wing conservative Republican who is playing pure politics; the father who discovered the whole greenhouse effect. He said this to the gentleman from California [Mr. BILBRAY] before he passed away.

My colleagues, the gentleman from California [Mr. CUNNINGHAM], the gentleman from California [Mr. HUNTER], and others have worked on this. This is the responsible thing to do. We should move forward and do it immediately in a bipartisan way.

Mr. SHUSTER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California [Mr. PACKARD].

(Mr. PACKARD asked and was given permission to revise and extend his remarks.)

Mr. PACKARD. Mr. Speaker, today marks the first Corrections Day in the history of Congress. I cannot tell you how pleased I am that the first issue being considered is one that I have worked for years to get passed.

For over a decade I have worked to relieve San Diego of an arbitrary mandate in the Clean Water Act that costs San Diego ratepayers and the American taxpayers $3 billion for additions and alterations to their sewage treatment system. Even though scientific evidence demonstrates that the city's advanced primary treatment already complies with the standard set forth in the Clean Water Act, we have been forced to submit to the ludicrous regulation.

Today, we have the opportunity to make government more accountable and establish a way for Congress to quickly fix onerous and burdensome regulations. Corrections Day signals the people's triumph over silly, obsolete rules and regulations and the bureaucracies that thrive on them.

I urge a ''yes'' vote on this resolution, and let us put a stop to a requirement of billions of dollars to be paid for no appreciable gain.

Mr. SHUSTER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, my good friend the gentleman on the other side of the aisle has stated that this legislation was motivated by politics. Commissioner Ganagi, the mayor of San Diego, the Governor of the State of California, the delegation that represents the area, 2 million people, support this legislation. The gentleman from California [Mr. BILBRAY] as a mayor supported this years and years ago and now is in the House and still fighting the same battle. The Ocean Pollution Reduction Act that was rushed through Congress last year only says that San Diego can apply for a waiver. The gentleman stated that no other place has ever received this waiver.

This is an extreme example of an unfunded mandate. Every Member, Republican and Democrat, has onerous rules and regulations by the Federal Government that is inflexible, that

should be allowed some change. The EPA and the rule for off-sewage was written when you dump already treated sewage into a lake or river. Best science from Scripps Oceanographic, these people deal in what is good for the ocean, have stated good science, it actually enhances the ecology of the ocean because this is not dumped into a lake or a river, it is dumped miles and miles out to sea below a depth of 300 feet.

What else does it mean? It means that the residents of California will pay. Think of the senior citizen on a fixed income that is going to have her sewage bill doubled when it is not even necessary and good science says it is not necessary but certain special interest groups fight to change it.

Speaker GINGRICH took a look and said, let's take some of these Federal regulations that affect Members on both sides of the aisle, that are onerous and that are not working, written with good intention but they are inflexible, and let's change some of that on the House floor.

That is what this is about. For years and years we have been working on this situation, and just applying for a waiver does not do it. This does it. This completes that requirement. The delegation from San Diego, with Mr. HUNTER, Mr. PACKARD, Mr. BILBRAY, myself, and even Mr. FILNER on the other side of the aisle, have worked on this thing over and over again trying to make this change. This is a chance finally to come to fruition. I ask my colleagues to support it. It is important, and it is one of the first steps we have to bring logic back to this House.

Mr. MINETA. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, today is a very sad day in this House in my opinion. When I was first elected to the House of Representatives back in 1988, it was a fall after a summer when the Jersey shore and many of the States along the eastern coast had experienced very severe ocean pollution problems, beach washups, problems from sewage discharge and from other pollution that was dumped into the ocean. I thought at that time after the very strict laws that were passed, the Clean Water Act and various other legislation, that we had learned the lesson that we cannot dump in the ocean. Today I find out that that simply is not true. The message that we are sending today to the American people is that it is OK to dump in the ocean. It does not matter. This Congress does not care.

How ironic that on the first Corrections Day, instead of dealing with things that are really arbitrary or ludicrous or capricious like the $250 toilet seat or other agency actions that we know should be taken up on Corrections Day, instead we are granting an automatic and permanent waiver for the ocean discharge of waste. I guess the idea of protecting our environment, our water, our oceans in which we swim and fish is something that this House now considers, and I think one of the gentleman said, arbitrary or ludicrous, since this is a substantive requirement of Corrections Day.

The whole idea of trying to achieve secondary treatment is not ludicrous and it is certainly not arbitrary. It makes a lot of sense. That is why we have laws on the books which this is trying to change that require secondary treatment.

Secondary treatment is critical to the removal of organic material from sewage. This is the material that is linked to diseases like hepatitis and gastroenteritis for swimmers.

Mr. Speaker, we have in the Clean Water Act an effort to try to go down this slippery slope. Let us not kid ourselves. This is not just San Diego. Today it is San Diego, tomorrow it is going to be other California cities, then other cities around the country. We remember during the Clean Water Act that the Clean Water Act reauthorization specifically allows waivers, not only for San Diego but for a number of other cities around the country. Then they added the provision that said that for cities that were under 10,000 or municipalities that had under 10,000, that they might be able get a waiver. Then they added Puerto Rico, then Alaska. This is the beginning of the end in my opinion for secondary treatment and the requirement that that imposes. The notion that somehow that is okay and that we are going to take this material and dump it further and further out to sea and somehow it is not going to come back, that is the ludicrous part of what we are considering today.

In light of what occurred a couple of months ago in the Clean Water Act, I guess there is no reason to be surprised today. We are dealing with a number of efforts to degrade the environment. The Interior appropriations bill, the cuts in funding for both NOAA and EPA which we are about to address, all of these things are gradually taking us down the slippery slope. In addition to that, I think we have to understand that this bill eliminates a number of things that are very important. It eliminates the public review of the decision to allow the waiver. Essentially without this bill under the existing waiver process that is already law, there would be a public review that would start occurring sometime this summer or sometime in the near future. This is eliminated under this bill.

Also there has been a lot of mention about the scientific basis for this. Another thing this bill eliminates is basically the ability to look at the science in the future, because once the waiver is granted, if we find out that this process does not achieve what the authors are saying it is going to achieve, what opportunity is there to go back and look at the future science of the process?

I guess my problem here today, Mr. Speaker, is that I just think that the process of considering this bill on the Corrections Day Calendar is really improper because it is essentially saying to this House that Corrections Day is a day when we can make exemptions to environmental laws.

Coastal and ocean waters do not recognize State boundaries. We learned that a few years ago in New Jersey when medical waste from New York washed up on our shores. As a representative from a coastal State, I can tell you that my constituents do not want ocean disposal of waste. They do not want environmental loopholes and waivers. They certainly do not consider environmental regulations that protect our water, our estuaries, our wetlands and our beaches as arbitrary and capricious. Although today we are talking about California, this sets a very dangerous precedent. Today it is California but next Corrections Day it may be your neighboring State. There is absolutely no way that we are going to ultimately obtain the goal of the Clean Waste Act which is fishable and swimmable waters around this Nation if we continue this process.

Mr. SHUSTER. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, it is a historic day. For the first time we have before us an item from the Corrections Calendar. As Chairman of the Corrections Day advisory group, I would like to discuss why I and the majority of Members of the Speakers advisory group recommended this bill for consideration on the Corrections Calendar. In fairness, I want to acknowledge that three members of the advisory group opposed placing this item on the calendar.

Let me say that the fact that this bill does not have unanimous support does not disqualify it from the corrections procedure.

Obviously, I would prefer that every Member support this bill, but in designing the corrections procedure we anticipated some opposition to items on the calendar. If we restrict ourselves to only those items with unanimous support we would not need the Corrections Calendar.

Much inaccurate information has been put out by those who would like to see corrections day fail. It boggles my mind that these new defenders of corrections day claim San Diego should not be a correction bill, when it was this very situation which prompted the Speaker to suggest the idea of corrections day. I would remind my colleagues that many of these same defenders of the corrections day process are the ones who argued strenuously not to even have corrections day.

Mr. Speaker, the San Diego waste water problem is precisely the type of legislation we should be doing on this calendar. It will save the nearly 2 million residents of San Diego County billions of dollars. This bill is narrow in

scope as it should be to be considered on this calendar, and it has bipartisan support. Most importantly it is time we bring over 20 years of wrangling between the EPA and San Diego to an end. Delaying this legislation will only cost the taxpayers of southern California millions more of their tax dollars with no change in the end result.

I urge a ''yes'' vote in support of this legislation.

□ 1100

Mr. MINETA. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Michigan [Ms. RIVERS].

(Ms. RIVERS asked and was given permission to revise and extend her remarks.)

[Ms. RIVERS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

Mr. MINETA. Mr. Speaker, I yield 4 minutes to our distinguished colleague, the gentleman from San Diego, CA [Mr. FILNER].

Mr. FILNER. Mr. Speaker, my colleagues, I rise today in strong support of H.R. 1943. Let me stress that this has been a bipartisan effort, both in San Diego, where the request originated, and in this Congress, where I hope a bipartisan coalition will pass this legislation today.

Without this legislation, San Diegans would be forced to pay billions of dollars to meet a bureaucratic requirement that makes no sense, given San Diego's geographic position and technological method of treating sewage.

This has been a long fight for me personally. In fact, I have spent more than 6 years fighting against this nonsensical requirement. I was one of the first members of the San Diego city council who was convinced by the testimony of marine scientists from the world-renowned Scripps Institute of Oceanography that San Diego was already doing the right thing for the environment.

One of the first bills that I introduced in 1993 as a freshman in the 103d Congress was H.R. 3190, which is very similar to the bill we are discussing today. And in late 1994 in the 103d Congress, my colleagues in the Congress unanimously passed my legislation to allow San Diego to apply for a waiver from the requirements of the Clean Water Act.

Mr. Speaker, that bill allowed San Diego to apply for a waiver from the Clean Water Act's secondary treatment standards. I am proud to state that that application has been submitted and, because it was based on sound science, it has already received preliminary approval by the EPA. We have no doubt that this application will soon receive final approval.

But we are here today to take the necessary next step; that is to remove the requirement that San Diego reapply for that waiver every 5 years. I want to ensure that San Diego is not required to spend millions of taxpayer dollars every 5 years to reapply for a waiver, or that it run the risk that some EPA administrator in the future, as it has in the past, may reject the waiver application and force San Diego into a wasteful transformation of its sewage treatment system.

Mr. Speaker, some of my colleagues have legitimate concerns about this legislation, but I want to reassure all of my colleagues that San Diego will still have to meet the basic environmental mandates of the Clean Water Act and that no damage to the marine environment will result.

This bill requires that San Diego comply with one of the most restrictive State ocean plans, California's ocean plan, which stipulates a minimum of 75 percent suspended solids removal. The California State ocean plan, which has been approved by the national EPA, includes a list of standards for specific chemicals that is more restrictive than Clean Water Act standards.

These standards will apply, despite the fact that San Diego's ocean outfall is 4 miles out to sea, and therefore outside of the 3-mile jurisdiction of the State, because H.R. 1943 would require that the city of San Diego apply to the State of California and EPA for an NPDES permit ever 5 years. Because of this permit requirement, I have no doubt that the EPA will hold San Diego to State of California ocean plan standards.

Finally, at the request of the marine scientists from the Scripps Institute, this bill will require San Diego to continue its comprehensive ocean monitoring system. I urge my colleagues to support this bill. It is the right thing to do for both the environment and the taxpayers of San Diego.

Mr. Speaker, I want to point out, finally, that the protections in this bill to require San Diego to meet the California State ocean plan and to submit to the comprehensive ocean monitoring system will protect against some of the fears that my colleagues have.

This means that San Diego will not only measure the quality of the effluent that is entering the ocean outfall but, more importantly, it will conduct a thorough assessment of the effects of the effluent on the marine environment. This monitoring system will be evaluated in turn not only by State and Federal agencies, but will be made available for review by the best marine scientists in the world, the experts that work at Scripps.

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

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

Mr. MINETA. Mr. Speaker, if I could ask my colleague a question on that. With regard to the standards, is my colleague familiar with this motion to recommit that I intend to offer?

Mr. FILNER. Mr. Speaker, I am.

Mr. MINETA. Mr. Speaker, I ask my colleague how he feels and whether he will be supporting that motion.

Mr. FILNER. Mr. Speaker, as my friend knows, in the Committee on Transportation and Infrastructure I submitted an amendment, which he has in his recommittal motion, which will in fact help this bill meet some of the problems that some of my colleagues have by requiring certain standards that we already meet that we are pledged to do, that will require no extra expense. I think that makes this bill stronger when it goes to the Senate and when it goes to the President.

Mr. MINETA. Mr. Speaker, I thank my colleague.

Mr. FILNER. Mr. Speaker, I say to my colleague, that requirement makes a lot of sense.

Mr. SHUSTER. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. BOEHLERT] the distinguished chairman of the Subcommittee on Water Resources and Environment.

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Speaker, I rise in strong support of this commonsense legislation. I would point out that it has been considered at some length in the Subcommittee on Water Resources and Environment, over which I have the pleasure of chairing. It has been considered by the full committee, and as a matter of fact, everyone in this House has essentially approved the language of this legislation, because it was included in H.R. 961. I did not support that bill; however, we did have an alternative, the gentleman from New Jersey [Mr. SAXTON] and myself, and that same language was in the alternative.

Mr. Speaker, this just makes a whole lot of sense. Scientists agree that the city's current level of treatment is not harming the ocean environment. Complying with the secondary treatment mandate will cost the city over $2 billion, and possibly as much as $4.9 billion, if the city is enforced to install all the treatment facilities that EPA has sought to require the return for settlement of its litigation against the city.

We are moving in the right direction. Frankly, this debate over this bill is not over environmental protection. I take a back seat to no one on being a strong environmentalist. It is about process. I urge my colleagues on a bipartisan basis to support this legislation.

Mr. SHUSTER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Indiana [Mr. MCINTOSH].

Mr. MCINTOSH. Mr. Speaker, I want to commend the gentleman from Pennsylvania [Mr. SHUSTER] and the gentlewoman from Nevada [Mrs. VUCANOVICH] for bringing this issue to the House floor.

Mr. Speaker, my colleagues might ask what is a Representative from Indiana doing talking about an issue that