

have used over the past decades as an effective waste management tool. In fact, flow control has enabled communities in more than 40 States to meet the Federal mandates of the Resource Conservation and Recovery Act [RCRA] in a cost-effective, safe, and efficient manner.

Since the Court decision, these communities have found themselves seriously overburdened. Because they needed to secure revenue bonds to finance costly, but highly advanced waste technologies, these communities now face a total outstanding debt of more than \$10 billion. Several communities have already seen their credit ratings downgraded as a result of this debt—including five counties in my home State of New Jersey. And they are likely to be joined by others as investment services weigh the consequences of Congress' inability to swiftly grandfather their flow control authority.

You may recall that I introduced legislation on the first day of the session as a legislative remedy. That bill—the Community Solvency Act (H.R. 24)—is the identical text of legislation approved by the House by unanimous consent on October 7, 1994. The substance of H.R. 24 and that which Mr. OXLEY and I have now introduced (H.R. 1085) is largely the same; but the 11th-hour drafting style of H.R. 24 has been enormously improved in the Local Governments Flow Control Act of 1995.

This new bill represents the same strong commitment to local governments as its predecessor. Those communities which had practiced flow control or had made significant commitments of time, resources, and money—as specifically defined in both bills—toward implementing flow control are still grandfathered. They will be able to maintain the integrated waste systems which they have labored to establish in an effort to meet the waste treatment and disposal needs of their residents in a cost effective, safe, efficient, and environmentally sound manner.

This new bill also represents our dedication to the principles of competition and a free and open market. All communities will be required to meet strict needs test analyses—to prove that flow control can meet the needs of the community better than an entirely unfettered market—and detailed competitive designation processes—to ensure that there is no unfair discrimination against any private or public sector market participant.

Finally, where the Local Governments Flow Control Act represents a vast improvement over its predecessor is in its simplicity. The numerous cross references and redundant phrases have been eliminated and replaced with definitions and well-ordered sections making this bill far easier to read and comprehend. Furthermore, those sections of the bill which had been ambiguous and a possible invitation to future litigation have been clarified.

This fine-tuning has brought the substance of the bill even closer to the position which several private sector waste companies are now supporting. Both Mr. OXLEY and I believe that this bill is truly a compromise which can benefit all parties at the negotiating table—local governments, Wall Street, private sector waste companies, and recycling interests.

Yesterday, I presented this bill to the Senate Subcommittee on Superfund, Waste Control and Risk Assessment during a hearing held on this matter and interstate waste control. I pointed out in my testimony that, particularly for my home State of New Jersey, the two is-

ssues are linked. Within the span of two decades, New Jersey went from the top importer of other States' waste to the No. 2 exporter. Twenty-five years ago, the State instituted a carefully designed waste management statute based on the premise of flow control. This statute places a strong emphasis on recycling efforts and integrated waste systems which are managed by the counties of the States, either individually or through interdistrict agreements.

One of the key objectives of New Jersey's waste management laws is self-sufficient waste management by the year 2000. The State is well on the way to its goal. Recycling is close to 60 percent in parts of the State and averaging 50 percent overall. Upon completion of two projects already in the works when the Carbone decision was handed down, the State expects to be capable of treating and disposing approximately 88 percent of its waste within its own boundaries. When the plan has been fully implemented, the State expects to export only 5 percent of its solid waste; thereby addressing through its own initiative the concerns of Midwestern States which are seeking to close their borders to other States' waste.

However, as I previously noted, flow control is the linchpin to the success of the New Jersey system. Without that authority, we can no longer be confident of meeting our worthy goals.

I urge you to join Chairman OXLEY, Mr. PALLONE, Mr. MINGE, Mrs. ROUKEMA, Mr. SAXTON, and me in cosponsoring the Local Governments Flow Control Act of 1995 and in the effort to provide prompt passage through the Congress of this important and necessary relief for local governments.

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WESTMINSTER CELEBRATES  
SIXTH NATIONAL CHAMPIONSHIP

**HON. RON KLINK**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mr. KLINK. Mr. Speaker, I rise today to congratulate Westminster College, in New Wilmington, PA, the 1994 NAIA Division II Football National Champions.

The Westminster Titans finished the 1994 season with a trip to the NAIA national championship game in Portland, OR, on Saturday, December 17, 1994. They won the national championship by defeating the defending national champions, Pacific Lutheran University, by a score of 27 to 7.

Winning has long been a tradition at Westminster, and this year marks the 100th year of football at the college. Over the past 100 years, Westminster has set numerous NAIA Division II records. They have 6 Division II titles; 9 championship game appearances, including 5 in the last 7 years and 2 straight; 15 playoff appearances, including 8 straight; and 30 playoff victories. All of these are NAIA bests.

In addition to the success of the team, several individuals were honored by being named to the NAIA Football All-American Team. They include Andy Blatt—running back—and Brian Germanoski—defensive tackle—named as first team selections; Craig Mills—inside line backer—as a second team choice; and Tim McNeil—defensive back-wide receiver, Nate

Armstrong—offensive tackle, Sean O'Shea—quarterback, and B.J. Hoening—defensive tackle—all earning honorable mention. Head coach, Gene Nicholson, was also named 1994 NAIA Division II Football National Coach of the Year.

I commend the Titans on their successful season, in this, their 100th year of football, and look forward to another century of continued success.

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TRIBUTE TO THE 90TH  
ANNIVERSARY OF GAINES COUNTY

**HON. LARRY COMBEST**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mr. COMBEST. Mr. Speaker, I rise to salute Gaines County, TX, as they celebrate their 90th anniversary. In October 1905, Gaines County was officially organized. This new county was named for James Gaines, an original signer of the Texas Declaration of Independence, whose fierce spirit of independence, strength, and steadfastness was exemplified by the early settlers of Gaines County.

West Texas and the Permian Basin area have a rich and varied heritage, beginning with the native Americans and Mexicans who roamed the Llano Estacado and continuing through current day with the ranchers and farmers who thrive in modern-day Gaines County. When ranchers first arrived, cattle and sheep roamed the fertile grasslands of the area, and even today these animals provide a livelihood for many who live there. After the ranchers, the farmers arrived, and experienced the difficulties of west Texas agriculture. The farmers, too, survived hard times when they discovered rich soil beneath the sandy surface. This fertile soil is the very reason that today Gaines County is the leading cotton and peanut producing county in the State of Texas.

The farming and ranching industries of Gaines County should in no way overshadow the rich oil supply which makes Gaines County one of Texas' major oil suppliers. In light of the severe challenges that the oil industry has faced in recent times, the nature of this profession has changed dramatically, and the people of Gaines County are working to meet these ever-changing needs.

For 90 years, Gaines County has persevered through hardship and adversity to become a strong and thriving community. In the next 90 years, I am confident the county will continue its growth and expansion and remain a wonderful place to live, work, and raise families.

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H.R. 1022

**HON. DAVID MINGE**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mr. MINGE. Mr. Speaker, on February 28, 1995, Mr. JOHNSON of South Dakota submitted comments regarding H.R. 1022, the Risk Assessment and Cost-Benefit Act. I share Mr.