

Under the 1977 Clean Water Act Amendments, coastal communities—mainland and island—were permitted a time-limited opportunity to apply for exemptions from secondary treatment requirements if they met very stringent environmental standards for ocean discharges. Overall, EPA has granted 39 waivers. All applications were required to be submitted to EPA by December 29, 1982. The Puerto Rico Aqueduct and Sewer Authority [PRASA] submitted 12 waiver applications, and 6 have been tentatively approved. Only two applications—including one for the Mayaguez treatment facility—were denied, in December 1993. The EPA insists that the Mayaguez POTW construct secondary treatment facilities costing approximately \$100 million, despite significant evidence that other, far less costly alternatives would be equally, or even more, effective in protecting the surrounding marine environment.

Puerto Rico has proposed construction of a deep water outfall situated more than 300 feet deep and several miles from shore as an alternative to secondary treatment at the Mayaguez POTW. This would save the Commonwealth about \$65 million. Substantial scientific evidence gathered from similarly situated POTW's with deep ocean outfalls indicates that such methods can achieve the equivalent of secondary treatment standards or better.

The evidence was so compelling in the instance of San Diego, CA, that Congress last year enacted, and the President signed into law, legislation permitting EPA to consider a section 301(h) waiver application proposing a similar alternative to secondary treatment—notwithstanding that such a waiver otherwise would be time-barred under the Clean Water Act. Puerto Rico deserves the same opportunity to implement cost-effective alternatives and seek a section 301(h) waiver.

This is not simply an issue of fairness or cost-effectiveness; it is also an issue of science. The Clean Water Act was intended to improve the marine environment. There is significant scientific evidence that suggesting that a new deep ocean outfall at the Mayaguez POTW would best protect the surrounding marine environment. Furthermore, this legislation would require a scientific study of the issue by the U.S. Geological Survey, an impartial agency with no interest in the outcome. Puerto Rico is willing to share 50 percent of the financing necessary for the study.

There are numerous precedents of such limited exceptions to the requirements of section 301. The municipal wastewater treatment construction grant amendments of 1981 included a provision that extended the date under which section 301(h) waivers could be requested and specifically permitted the city of Avalon, CA, to receive such a waiver. The Water Quality Act of 1987 included a specific exception for the Irvine Ranch Water District that permitted it also to file for a waiver after the deadline.

The 1981 provision specifically reexamined section 301(h) and concluded: "failure to broaden eligibility \* \* \* risks requiring treatment for treatment's sake, involving the expenditure of funds which could be better used to achieve additional water quality benefits elsewhere." This provision does not grant variances. It simply allows variances to be sought with the burden on the applicant to

make its case on environmental grounds.<sup>1</sup> Such logic applies fully to this legislation.

I urge our colleagues on the Transportation and Infrastructure Committee and on the Resources Committee to consider this bill and its common sense approach to the regulatory burden confronting Puerto Rico. I understand that the EPA is receptive to this change in the law, which can only improve the marine environment off the west coast of Puerto Rico, and which will apply these regulatory requirements with cost effectiveness and flexibility, rather than rigidly and without regard to their consequences.

IN HONOR OF THE 25TH ANNIVERSARY OF THE PICO RIVERA BOBBY SOX ASSOCIATION

**HON. ESTEBAN EDWARD TORRES**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 30, 1995*

Mr. TORRES. Mr. Speaker, I rise today to commemorate the 25th anniversary of the Pico Rivera Bobby Sox Association.

For the past 25 years, the Bobby Sox Association has been providing an invaluable service to the young girls, and now the young boys, of Pico Rivera. The association was established in 1970 by a group of parents determined to give their daughters the same opportunities to play on an organized team sport, as their sons. The parents, led by Bobby Sox founder and president of the board, Mr. Ray Garcia, labored countless hours laying out fields, building dugouts, and constructing and staffing a snack bar, all for the love of their children and softball.

The whole community has a vested interest in the success of this program. Countless parents have taken time out of their schedules to coach, manage, chaperon, and care for these young girls. And, because of their efforts, the return on their investment has been immeasurable.

These young women have all learned lessons in comradery and sportsmanship. In 1977, the Pico Rivera Bobby Soxers All-Stars led by coaches Jim Cafferty and Eddie Gomez experienced the thrill of winning a national championship. Indeed, the whole association is to be commended for putting forth the effort to ensure the participation of the nearly 6,000 young girls who have graced the softball diamonds at Rio Vista Park over the past 25 years.

I applaud every individual who has had a part in making the Bobby Sox of Pico Rivera a success. I know that the memories carried in the hearts of their daughters are priceless. As a new generation of young girls, and now boys, stand ready to take the fields at Rio Vista, I hope the dedicated spirit which has accompanied their predecessors will continue for many more generations of players to come.

PERSONAL EXPLANATION

**HON. PETER A. DeFAZIO**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 30, 1995*

Mr. DEFAZIO. Mr. Speaker, on March 9, I was having dinner at a nearby restaurant with the Oregon State labor commissioner and apparently my electronic beeper malfunctioned and I missed a recorded vote on the Cox amendment to H.R. 956 which would cap non-economic pain and suffering damages in health care liability cases at \$250,000. If I had been present I would have voted "no."

ROBERT GARCIA BRINGS HISPANICS TOGETHER

**HON. BILL RICHARDSON**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 30, 1995*

Mr. RICHARDSON. Mr. Speaker, our former colleague, Bobby Garcia, has spent many years trying to forge better relations among all people. As a co-founder of the Congressional Hispanic Caucus, he sought to unite Hispanic Members of Congress working toward common goals. As a private citizen, he has continued to focus his attention on uniting Hispanics in this country and throughout our hemisphere.

Recently, Mr. Garcia hosted a reception in Washington honoring the current chairman of the Congressional Hispanic Caucus, our colleague, ED PASTOR. Mr. Garcia also invited representatives of the Latin American republics and Spain to further our common interests.

I commend our former colleague for his work in improving relations between people and countries and urge my colleagues to review the following article which appeared in the Caribbean Business publication.

[From Caribbean Business, Mar. 23, 1995]

GARCIA SEES EXPANDED CAUCUS ROLE

(By John Collins)

Former Congressman Robert Garcia of New York views the Congressional Hispanic Caucus, of which he was a co-founder, as an important catalyst for bringing Hispanics, in the U.S. and elsewhere in the world, closer together for the mutual benefit of all.

Garcia and his wife, Jane, hosted a reception in honor of the new chairman of the CHC, Ed Pastor, an Arizona Democrat. To help familiarize members of the Diplomatic Corps with the workings of Congress and how Hispanic members might assist them in achieving their legislative agendas, Garcia invited representatives of the Latin American republics and Spain to the reception.

Among those attending were ambassadors Raul Granillo Ocampo (Argentina), Sonia Picado (Costa Rica), Ana Cristina Sol (El Salvador), Jesus Silva Herzog (Mexico), Ricardo Alberto Arias (Panama), Jaime de Ojedo (Spain), and Pedro Luis Echevarria (Venezuela). Countries represented by other diplomats included Brazil and Guatemala.

EXPANDED DIVERSITY

The CHC was organized in 1977 when there were only four Hispanics in Congress, including Garcia. Today, the caucus has grown to 18 members, 13 Democrats and five Republicans. The largest segment of the CHC is of Mexican descent, four are Puerto Ricans,

<sup>1</sup>H. Rep. No. 97-270, 97th Cong. 1st Sess. at p. 17.

three are Cuban and one is Guamanian. Three are women, including Rep. Lucile Roybal-Allard (D-Cal.), whose father was a CHC co-founder. The previous chairman was Rep. Jose E. Serrano (D-N.Y.). The current first vice chairman is Resident Commissioner Carlos Romero Barcelo (D-P.R.).

The caucus is dedicated to voicing and advancing, through the legislative process, issues affecting Hispanics in the U.S. and insular areas.

#### THE SPIRIT OF MIAMI

While a guest at President Bill Clinton's historic Summit of the Americas in Miami last December, Garcia was determined to return to Washington committed to assisting the CHC perform a much more active role in fostering dialogue and interaction between its members and Hispanics throughout the hemisphere and elsewhere in the world. "My idea is for the caucus to help really make Clinton's Spirit of Miami work," Garcia said. The Spirit of Miami is a declaration of commitment signed at the summit. He recalled how active the CHC was in the 1970s and 1980s in fostering greater understanding of Latin America.

Although modest, Washington observers point to the important role Garcia performed in persuading the late House Speaker Thomas O'Neill (D-Mass.) that Argentine President Raul Alfonsín should be afforded an opportunity to address a joint session of Congress after he had decided such an invitation should not be extended in the post-Falklands War climate.

#### ARGENTINE PRAISE

Garcia's initiative "proved that subjects of common interest are easily discussed among diplomats and Hispanic legislators here, to the benefit of all our countries," Ambassador Granillo Ocampo told Caribbean Business from Washington. "With regard to Argentina's message to the U.S.—a message of political reliability and economic predictability from a country where democracy has flourished, a market economy is growing and human and civil rights are prevalent—I would say it has been understood and fostered in Congress with the help of the Congressional Hispanic Caucus."

The Argentine envoy said: "This was true when the then-Congressman Bob Garcia chaired the Caucus during the 1980s and remains so under the chairmanship of Congressman Ed Pastor."

Although it is a busy time in Washington and the House was in session, several members were able to attend the reception including Reps. Solomon P. Ortiz (D-Texas); Bill Richardson (D-N.M.); Roybal-Allard; Esteban E. Torres (D-Cal.); Nydia Velazquez (D-N.Y.); and Romero Barcelo accompanied by his wife, Doña Kate. Also present was Rep. Benjamin A. Gilman (R-N.Y.), the chairman of the House Foreign Affairs Committee.

#### CLINTON REPRESENTED

Representing the Clinton administration, among others, were U.S. Trade Representative Mickey Kantor; Alexander Watson, assistant secretary of State for Inter-American Affairs; Judge Nelson A. Diaz, general counsel of the U.S. Department of Housing & Urban Development; Jeffrey Farrow, co-chairman, White House Inter-agency Working Group on Puerto Rico. HUD Secretary Henry G. Cisneros was represented by his wife, Mary Alice; and another HUD official, Aida Alvarez, the director of the Office of Federal Housing Enterprise Oversight, was also there. Tony Rodham, brother of first lady Hillary Clinton, was also present.

Among others in attendance were Puerto Rico Commerce Development Administrator Juan Woodroffe and National Puerto Rican

Coalition Chief Executive Officer Manuel Mirabel.

### TO AMEND THE INDIAN GAMING REGULATORY ACT ON BEHALF OF LOCAL COMMUNITIES

#### HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 1995

Mr. EVERETT. Mr. Speaker, earlier this year, the U.S. Supreme Court agreed to review the suit filed by the Seminole Indians that would allow tribes to sue States in order to enter into Class III gaming—casino gambling—compacts. The Court's interest in hearing this case points to the long overdue need for a restructuring of the Indian Gaming Regulatory Act. One glaring flaw of the statute lies with the current approval process for gaming compacts—the local communities do not have a voice in these matters which will clearly impact their quality of life.

By way of background, under current law, all that is required for Class III gaming approval is a compact between the tribe and State—the local community affected by the gaming activity has no involvement in the approval process. Moreover, under the current law, State and local governments are prohibited from assessing taxes on these gaming activities. I believe that the local community, whose infrastructure and public services will be strained by the operation of a gambling casino, should be able to participate in the approval process. A full-fledged casino would place untold burdens on the police, fire, rescue, and other public services of a small town. The roads, bridges and water and sewer capabilities of a small or rural town would be inadequate to handle the added demand and usage.

Today I am joined by a number of interested members in introducing legislation that will give local communities a voice in the approval process. First, the elected governing body, such as the city council, mayor or county commissioners, would be required to approve the Tribal-State compact. Second, the local community will then have the opportunity to approve the compact through a referendum. The inclusion of the local community in the gaming compact will not only reflect a more complete representation of the people of the affected area, but I believe will foster a friendlier and more cooperative relationship between the tribes and the local communities in which they reside.

Whether you are a proponent of opponent of casino gambling, the concerns of impacted local communities should be factored into the process. This legislation will go a long way to alleviate these concerns, and believe that it is time for Congress to take action and amend the Indian Gaming Regulatory Act.

IN SUPPORT OF THE ENDANGERED SPECIES ACT

#### HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 1995

Ms. PELOSI. Mr. Speaker, I rise today to offer my strong support for the Endangered Species Act. For over 20 years, this landmark legislation has been America's contract with nature.

It has also ensured the survival and conservation of hundreds of native fish, wildlife and plant species—and with them our natural heritage.

Mr. Speaker, the Endangered Species Act has helped to preserve biological diversity within our country by preserving species that are on the brink of extinction. Since 1973, 731 U.S. species have been listed under the Endangered Species Act. Without this vital protection, many listed species, including our national symbol, the bald eagle, would have long since become extinct.

Mr. Speaker, the Endangered Species Act is at a decisive crossroads.

While it has come under attack from those who contend that it places unnecessary roadblocks in the path of economic development, polls consistently show that the American people support the Endangered Species Act by wide margins.

The American people know that to abandon the Endangered Species Act would be tantamount to an open season on endangered waterfowl, marine mammals, songbirds, and other federally protected wildlife. It would give a green light to international traffickers of fur-bearing animals, wild birds, elephant ivory, tigers, and other wildlife and wildlife products.

The time to protect America's biological resources is now Mr. Speaker. I urge all of my colleagues to support re-authorization of a strong Endangered Species Act.

#### DELAURO HONORS AIR NATIONAL GUARD UNIT

#### HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 1995

Ms. DELAURO. Mr. Speaker, I would like to congratulate the 103d Air Control Squadron of the Connecticut Air National Guard in Orange, CT. The Orange Unit's tremendous service to our country has earned it the 1994 Air Force Outstanding Unit Award.

For more than a half-century, the Orange Air National Guard Unit has guaranteed our Nation's security and demonstrated that citizen militias—such as the ones that fought for and won freedom in this land over 200 years ago—are still effective and necessary. With support from a small number of full-time Air Force personnel, the Orange Unit fields more than 250 airmen and women. These members of our community serve the United States through the Air National Guard while keeping their commitments to careers and families. These National guardsmen and women deserve our deepest thanks for their selfless service.