

criminal fine collection by allowing a new source of the offender's income to be collected, and will help ensure that victims are properly and fairly compensated in a timely manner.

I ask unanimous consent that a copy of a letter from David Beatty, acting executive director of the National Victim Center, be printed.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL VICTIM CENTER,
Arlington, VA, February 16, 1996.

HON. SENATOR MCCAIN,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR MCCAIN: Thank you for the opportunity to express our views concerning your proposed amendment to the Employee Retirement Security Act of 1974 and the Internal Revenue Code of 1986.

Offender accountability has long been a corner stone of the American criminal justice system. Such Accountability includes not only the offender's payment of his debt to society but also financial responsibility to the innocent victims who suffer the severe economic consequences of the crimes inflicted upon them.

Requiring offenders to pay restitution to their victims for the harm that resulted from their criminal acts serves the ends of justice in several ways. First and foremost, restitution reimburses crime victims for the goods and services that are essential to their physical, emotional and financial recovery.

It also provides the kind of direct accountability to victims that helps satisfy their sense of fairness and their desire for justice. By engendering a greater sense of personal responsibility, restitution also serves the broader criminal justice objectives of deterrence and even rehabilitation.

Studies have shown that there is a clear correlation between restitution and lower recidivism rates. Offenders who are held financially responsible to their victims develop a greater appreciation for the hardship and human suffering cause by their thoughtless criminal acts. Offenders who gain a moral sense of responsibility by making payment directly to their victims are less likely to commit such crimes in the future.

Yet, none of the advantages restitution have to offer will be fulfilled unless offenders are actually made to pay. Not surprisingly, offenders' failures to pay have all but defeated the principle and purpose of restitution as a practical matter. Given the perplexity involved in locating and seizing the economic resource of offenders, it is extremely difficult to force offenders to pay the restitution they owe.

Senator McCain has introduced an amendment that helps solve the restitution payment problem—at least in those cases where the government is already in possession of assets belonging to the offender. The amendment would allow government officials to divert federal pension benefits and tax refunds owed to the offender directly to the victims to whom the offender owes restitution. This simple and sensible solution allows government officials to avoid the time and expense of searching out and seizing those assets already in the hands of offenders. In short, this approach is the perfect incarnation of the old adage that, "A bird in the hand is worth two in the bush".

Currently, the federal government is paying convicted offenders who are refusing to pay their victims. The McCain Amendment will effectively put an end to this unconscionable practice.

The McCain Amendment would apply these same interception mechanisms to the collec-

tion of federal fines. Since federal fines are used to fund victim compensation and assistance programs nationwide, crime victims have a great stake in seeing that every effort is made to fully collect such fines. Again, this amendment would ensure that monies owed offenders by the federal government would be used to serve victims rather than enrich their perpetrators. In other words, "Crime shouldn't pay, but criminals should".

It is for these reasons that the Board of Directors and staff of the National Victim Center fully support Senator McCain's efforts to divert government payments owed to offenders to benefit their victims.

Sincerely,

DAVID BEATTY,
Acting Executive Director.

ADDITIONAL COSPONSORS

S. 358

At the request of Mr. HEFLIN, the name of the Senator from Arkansas [Mr. BUMPERS] was added as a cosponsor of S. 358, a bill to amend the Internal Revenue Code of 1986 to provide for an excise tax exemption for certain emergency medical transportation by air ambulance.

S. 953

At the request of Mr. CHAFEE, the names of the Senator from North Carolina [Mr. FAIRCLOTH], the Senator from North Carolina [Mr. HELMS], the Senator from Michigan [Mr. LEVIN], the Senator from Indiana [Mr. LUGAR], the Senator from Maryland [Ms. MIKULSKI], the Senator from Ohio [Mr. DEWINE], and the Senator from Arizona [Mr. MCCAIN] were added as cosponsors of S. 953, a bill to require the Secretary of the Treasury to mint coins in commemoration of black revolutionary war patriots.

S. 984

At the request of Mr. GRASSLEY, the name of the Senator from Wyoming [Mr. SIMPSON] was added as a cosponsor of S. 984, a bill to protect the fundamental right of a parent to direct the upbringing of a child, and for other purposes.

S. 1130

At the request of Mr. BROWN, the name of the Senator from Arizona [Mr. KYL] was added as a cosponsor of S. 1130, a bill to provide for the establishment of uniform accounting systems, standards, and reporting systems in the Federal Government, and for other purposes.

S. 1139

At the request of Mr. LOTT, the name of the Senator from Maryland [Mr. SARBANES] was added as a cosponsor of S. 1139, a bill to amend the Merchant Marine Act, 1936, and for other purposes.

S. 1334

At the request of Mr. FRIST, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of S. 1334, a bill to amend chapter 28 of title 35, United States Code, to provide for noninfringing uses of patents on medical and surgical procedures.

S. 1379

At the request of Mr. SIMPSON, the name of the Senator from Oklahoma

[Mr. INHOFE] was added as a cosponsor of S. 1379, a bill to make technical amendments to the Fair Debt Collection Practices Act, and for other purposes.

S. 1386

At the request of Mr. BURNS, the name of the Senator from Mississippi [Mr. LOTT] was added as a cosponsor of S. 1386, a bill to provide for soft-metric conversion, and for other purposes.

S. 1397

At the request of Mr. KYL, the names of the Senator from South Dakota [Mr. PRESSLER] and the Senator from Virginia [Mr. WARNER] were added as cosponsors of S. 1397, a bill to provide for State control over fair housing matters, and for other purposes.

S. 1405

At the request of Mr. FRIST, the names of the Senator from North Carolina [Mr. FAIRCLOTH], the Senator from New Hampshire [Mr. SMITH], and the Senator from Maine [Ms. SNOWE] were added as cosponsors of S. 1405, a bill to eliminate certain benefits for Members of Congress.

S. 1473

At the request of Ms. SNOWE, the names of the Senator from Mississippi [Mr. LOTT] and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 1473, a bill to authorize the Administrator of General Services to permit the posting in space under the control of the Administrator of notices concerning missing children, and for other purposes.

S. 1491

At the request of Mr. HEFLIN, the name of the Senator from Ohio [Mr. GLENN] was added as a cosponsor of S. 1491, a bill to reform antimicrobial pesticide registration, and for other purposes.

S. 1548

At the request of Mrs. FEINSTEIN, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of S. 1548, a bill to provide that applications by Mexican motor carriers of property for authority to provide service across the United States-Mexico international boundary line and by persons of Mexico who establish enterprises in the United States seeking to distribute international cargo in the United States shall not be approved until certain certifications are made to the Congress by the President and the Secretary of Transportation, and for other purposes.

S. 1553

At the request of Mr. MCCAIN, the names of the Senator from Virginia [Mr. WARNER], the Senator from New York [Mr. D'AMATO], and the Senator from Tennessee [Mr. FRIST] were added as cosponsors of S. 1553, a bill to provide that members of the Armed Forces performing services for the peacekeeping effort in the Republic of Bosnia and Herzegovina shall be entitled to certain tax benefits in the same manner as if such services were performed in a combat zone.

SENATE RESOLUTION 215

At the request of Mr. LAUTENBERG, the names of the Senator from Utah [Mr. HATCH], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from South Carolina [Mr. HOLINGS], the Senator from Colorado [Mr. CAMPBELL], the Senator from Nebraska [Mr. KERREY], the Senator from Nevada [Mr. REID], the Senator from Delaware [Mr. ROTH], the Senator from Nebraska [Mr. EXON], the Senator from Ohio [Mr. GLENN], the Senator from Mississippi [Mr. COCHRAN], and the Senator from South Carolina [Mr. THURMOND] were added as cosponsors of Senate Resolution 215, a resolution to designate June 19, 1996, as "National Baseball Day."

At the request of Mr. MOYNIHAN, his name was withdrawn as a cosponsor of Senate Resolution 215, *supra*.

SENATE RESOLUTION 219

At the request of Mr. SPECTER, the names of the Senator from Michigan [Mr. ABRAHAM] and the Senator from Kansas [Mrs. KASSEBAUM] were added as cosponsors of Senate Resolution 219, a resolution designating March 25, 1996, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy."

AMENDMENTS SUBMITTED

THE LAND DISPOSAL PROGRAM
FLEXIBILITY ACT OF 1995CHAFEE (AND OTHERS)
AMENDMENT NO. 3464

Mr. LOTT (for Mr. CHAFEE, for himself, Mr. SMITH, Mr. DOLE, Mr. LIEBERMAN, Mr. NICKLES, and Mr. KEMPTHORNE) proposed an amendment to the bill (H.R. 2036) to amend the Solid Waste Disposal Act to make certain adjustments in the land disposal program to provide needed flexibility, and for other purposes, *supra*; as follows:

On page 2, beginning line 4, strike all through page 4, line 15, and insert in lieu thereof the following:

"SEC. 2. LAND DISPOSAL RESTRICTIONS.

"Section 3004(g) of the Solid Waste Disposal Act is amended by adding after paragraph (6) the following:

"(7) Solid waste identified as hazardous based solely on one or more characteristics shall not be subject to this subsection, any prohibitions under subsection (d), (e), or (f), or any requirement promulgated under subsection (m) (other than any applicable specific methods of treatment, as provided in paragraph (8)) if the waste—

"(A) is treated in a treatment system that subsequently discharges to waters of the United States pursuant to a permit issued under section 402 of the Federal Water Pollution Control Act (commonly known as the "Clean Water Act") (33 U.S.C. 1342), treated for the purposes of the pretreatment requirements of section 307 of the Clean Water Act (33 U.S.C. 1317), or treated in a zero discharge system that, prior to any permanent land disposal, engages in treatment that is equivalent to treatment required under section 402 of the Clean Water Act (33 U.S.C. 1342) for

discharges to waters of the United States, as determined by the Administrator; and

"(B) no longer exhibits a hazardous characteristic prior to management in any land-based solid waste management unit.

"(8) Solid waste that otherwise qualifies under paragraph (7) shall nevertheless be required to meet any applicable specific methods of treatment specified for such waste by the Administrator under subsection (m), including those specified in the rule promulgated by the Administrator June 1, 1990, prior to management in a land-based unit as part of a treatment system specified in paragraph (7)(A). No solid waste may qualify under paragraph (7) that would generate toxic gases, vapors, or fumes due to the presence of cyanide when exposed to pH conditions between 2.0 and 12.5.

"(9) Solid waste identified as hazardous based on one or more characteristics alone shall not be subject to this subsection, any prohibitions under subsection (d), (e), or (f), or any requirement promulgated under subsection (m) if the waste no longer exhibits a hazardous characteristic at the point of injection in any Class I injection well permitted under section 1422 of title XIV of the Public Health Service Act (42 U.S.C. 300h-1).

"(10) Not later than five years after the date of enactment of this paragraph, the Administrator shall complete a study of hazardous waste managed pursuant to paragraphs (7) or (9) to characterize the risks to human health or the environment associated with such management. In conducting this study, the Administrator shall evaluate the extent to which risks are adequately addressed under existing State or Federal programs and whether unaddressed risks could be better addressed under such laws or programs. Upon receipt of additional information or upon completion of such study and as necessary to protect human health and the environment, the Administrator may impose additional requirements under existing Federal laws, including subsection (m)(1), or rely on other State or Federal programs or authorities to address such risks. In promulgating any treatment standards pursuant to subsection (m)(1) under the previous sentence, the Administrator shall take into account the extent to which treatment is occurring in land-based units as part of a treatment system specified in paragraph (7)(A).

"(11) Nothing in paragraphs (7) or (9) shall be interpreted or applied to restrict any inspection or enforcement authority under the provisions of this Act."

On page 7, after line 12, insert the following:

"(5) ALASKA NATIVE VILLAGES.—Upon certification by the Governor of the State of Alaska that application of the requirements described in paragraph (1) to a solid waste landfill unit of a Native village (as defined in section 3 of the Alaska Native Claims Settlement Act (16 U.S.C. 1602)) or unit that is located in or near a small, remote Alaska village would be infeasible, or would not be cost-effective, or is otherwise inappropriate because of the remote location of the unit, the State may exempt the unit from some or all of those requirements. This paragraph shall apply only to solid waste landfill units that dispose of less than 20 tons of municipal solid waste daily, based on an annual average.

"(6) FURTHER REVISIONS OF GUIDELINES AND CRITERIA.—Recognizing the unique circumstances of small communities, the Administrator shall, not later than two years after enactment of this provision promulgate revisions to the guidelines and criteria promulgated under this subtitle to provide additional flexibility to approved States to allow landfills that receive 20 tons or less of municipal solid waste per day, based on an an-

nual average, to use alternative frequencies of daily cover application, frequencies of methane gas monitoring, infiltration layers for final cover, and means for demonstrating financial assurance: *Provided*, That such alternative requirements take into account climatic and hydrogeologic conditions and are protective of human health and environment."

On page 2, line 3 strike "1995" and insert in lieu thereof "1996".

ADDITIONAL STATEMENTS

PORTLAND STATE UNIVERSITY'S
50TH ANNIVERSARY

● Mr. HATFIELD. Mr. President, Portland State University is celebrating its 50th anniversary this year. Although that is a relatively short life in the history of America's higher education movement, Portland State University has quickly developed into one of the Nation's premier urban universities.

This remarkable university began as the Vanport Extension Center, located in one of Portland's public housing projects. It was an educational resource for many of Oregon's returning World War II veterans. Two years after the Center was established, the famous Memorial Day flood destroyed the campus, but not the college. Even the Christian Science Monitor published a national story about the Vanport's resurrection, calling it "The College That Would Not Die."

The college relocated to its current site in the South Park blocks area of downtown Portland in 1952. In 1955, my first term in the Oregon State Senate, the legislature officially designated it as Portland State College. At that time, the enrollment at PSC was more than 3,300 students—up from 221 Vanport students enrolled during its first term. In 1969, as the college introduced its first doctoral program, the legislature granted it university status.

Today, Portland State University is a national model of the urban university. Its mission is to enhance the intellectual, social, cultural, and economic qualities of urban life, and to promote the development of community-institutional networks and collaborations to address community priorities through academic and research programs. The university offers 32 bachelor's and 398 master's degrees in the humanities, sciences, social sciences, and professions, as well as doctoral degrees in seven areas: Education, electrical and computer engineering, environmental sciences and resources, public administration and policy, social work and social research, systems science, and urban studies and planning. PSU's programs are so widely accepted in Oregon that it offers one-quarter of the State's graduate degrees annually.

My wife, Antoinette, and I have been involved in this great university since its early days. Antoinette worked at Portland State College as its counselor to women. During my tenure