

about this terrible national experience leaves me comfortable. But an unequivocal, bipartisan statement of censure by Congress would, at least, fulfill our responsibility to our children and our posterity to speak to the common values the President has violated, and make clear what our expectations are for future Presidents. Such a censure would bring better closure to this demeaning and divisive episode, and help us begin to heal the injuries the President's misconduct and the impeachment process's partisanship have done to the American body politic, and to the soul of the nation.●

MOTION TO TAKE DEPOSITIONS OF WITNESSES IN COURT OF IMPEACHMENT OF WILLIAM JEFFERSON CLINTON

● Mr. ABRAHAM. Mr. President, there is a lot about this impeachment process that is new and unfamiliar to all of us. That is all the more reason why we should allow ourselves to be guided by the Constitution and historical precedents in deciding how we proceed. The Constitution's requirement that the Senate "shall have the sole Power to try all Impeachments." certainly suggests that the Senate will ordinarily do more than simply look at the record made by the House in deciding whether to send us Articles of impeachment, and that has generally been the Senate's practice.

Moreover, the Senate sitting as a court of impeachment is charged with seeking the truth in this trial. If any Senators reasonably believe that hearing witnesses would assist in finding the truth, then I believe both the President and the House should have the opportunity to call witnesses. Based on the record before us and the arguments we have heard, it is clear that at least on some of the House's charges, there are factual issues in dispute that the witnesses whom this motion proposes to subpoena for depositions could help us resolve.

It is for this reason, Mr. President, that I support the motion to allow both sides to depose these three witnesses. I do not see why this limited discovery should in any way cause this matter to be drawn out for any extended period of time. Rather, I believe it can be conducted very expeditiously without in any way jeopardizing the Senate's ability to conduct other important legislative business.●

RCRA REFORM LEGISLATION

● Mr. LOTT. Mr. President, for years the Administration has expressed a need for targeted legislation which will provide necessary, regulatory flexibility for successful clean up goals of the Resource Conservation and Recovery Act (RCRA). The Environmental Protection Agency (EPA) has unsuccessfully tried several times to address those needs through regulatory reform. While those efforts have attempted to

speed cleanup and make more rational requirements, these attempts have repeatedly been met with legal challenges. These challenges severely limit the Agency's ability to effectively address this concern. Furthermore, a General Accounting Office (GAO) study concluded that EPA cannot achieve comprehensive reform through the regulatory process. GAO also believes that such reform can best be achieved by revising the underlying law.

Indeed, my colleagues and I have been working with the Administration and stakeholders for several years to try to give EPA the flexibility it needs. We recognize that Americans are fed up with ineffective environmental programs that do little for cleanup. Americans want their hard-earned dollars used wisely and effectively.

RCRA's goals are very important. RCRA involves cleanup of properties contaminated with hazardous waste, at more than the 5000 sites. Therefore, the barriers to cleanup are a great concern. The GAO report echoes these concerns, noting that EPA believes that current RCRA requirements can lead parties to select cleanup remedies that are either too stringent or not stringent enough—given the risks posed by the wastes. Ultimately these requirements can discourage the cleanup of sites.

The current RCRA cleanup program potentially affects all state cleanups, including the cleanup of "brownfield sites." Brownfields are abandoned, idled, or under-used industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination. As Brownfield redevelopment activities have increased, it has come to our attention that the hazardous waste management and permitting requirements under RCRA either preclude the redevelopment of these properties all together or significantly add to the cost and time of their redevelopment.

Late last year, EPA attempted once more to address the need for regulatory flexibility to speed effective RCRA cleanups. This new rule, called the Hazardous Waste Identification Rule, addresses several of the disincentives to clean up. We applaud the Agency for its efforts. Nonetheless, EPA notes with certainty that additional reform is needed.

The Administration is sending a clear message. RCRA reforms are desired. EPA will do what it can, and should be commended for their most recent effort. However, legislative reforms are needed this year.

I commend Senators CHAFEE, SMITH, LAUTENBERG, BAUCUS, and BREAUX for their past efforts to address this problem. I have given them my full support in their plans to definitively fix the problem and given certainty to recent agency actions. Thank you for your leadership in recognizing the need for action. This effort addresses a real need, focusing on expediting clean ups. This need can be readily met if we continue to work in a bipartisan manner.●

● Mr. CHAFEE. Mr. President, there are over 6000 contaminated sites across the country waiting to be cleaned up under the Resource Conservation and Recovery Act (RCRA). These sites include active industrial facilities, unused urban lots well suited for redevelopment, and many other sites that have contaminated soil or groundwater. No one disputes that these sites should be cleaned up. But RCRA itself, and certain regulations implementing RCRA, are making it difficult—and unnecessarily costly—to get these sites cleaned up. As a result, cleanups at many sites are delayed for years and, in a number of cases, not performed at all. The waste remains in place, untreated and untouched.

This is an issue where legislative action can both improve the environment and save money. The Government Accounting Office (GAO) issued a report in late 1997 that identified three key requirements under RCRA that pose barriers to cleanups. The GAO concluded EPA's land disposal restrictions, minimum technological requirements for disposal facilities, and permitting requirements, when applied to remediation waste, can significantly increase the cost of a cleanup action and even act as an incentive for parties to abandon cleanups altogether. Tailoring these requirements to address the specific characteristics of remediation waste would eliminate this incentive, facilitating the actual cleanup of thousands of sites, and, according to GAO's estimate, save up \$2 billion a year without negatively impacting human health or the environment.

This is an environmental problem that we can and should address. And it is one that we can resolve in a bipartisan manner.

During the 105th Congress, the Majority Leader, Senator BOB SMITH, and I worked with our colleagues on the Environment and Public Works Committee, the Administration, and interested parties to reform RCRA to remove the major regulatory obstacles that currently impede the timely remediation of many contaminated sites. There was a broad consensus that changes needed to be made to make RCRA work better to clean up sites in an environmentally protective manner more quickly and more cost effectively. Unfortunately, we ran out of time before we were able to reach agreement on specific legislation.

The Environmental Protection Agency has issued regulations, including the recently finalized "Hazardous Waste Identification Rule for Contaminated Media," to address some of the regulatory burdens that we sought to eliminate through legislation. I applaud the Agency for its efforts. I believe, however, that there is still a need for legislation in this area to complete the reform the EPA has started. Therefore, I intend to make RCRA remediation waste legislation a priority for the Environment and Public Works Committee this year. Building on the progress

that we made in the last Congress, I believe we can draft a bill early this year that will address the remaining regulatory obstacles that exist to achieving environmentally protective and cost effective remediations.

I look forward to working, under Senator LOTT's leadership, on a bipartisan basis, with all parties interested in RCRA reform. I know that Senator SMITH, Chairman of the Environment and Public Works Subcommittee on Superfund, Waste Control and Risk Assessment, shares my commitment to reforming RCRA. This is an issue on which everyone agrees—reform is necessary, and it can be done in a way that will save money without posing a threat to human health or the environment.●

● Mr. SMITH of New Hampshire. Mr. President, I am here today to join my colleagues, Majority Leader TRENT LOTT and Environment Committee Chairman JOHN CHAFEE, in expressing support for enacting legislation this year to reform the remediation waste provisions of the Resource Conservation and Recovery Act (RCRA).

As many of my colleagues know, since I assumed the chairmanship of the Superfund, Waste Control and Risk Assessment Subcommittee, which has jurisdiction over RCRA, I have worked to bring some rational reforms to this hazardous waste law. It is well known that hazardous waste cleanups in this country take too long, are too costly, and inhibit the redevelopment of industrial brownfield sites.

Since I first introduced RCRA remediation legislation in the 104th Congress, I have worked with Senators LOTT, CHAFEE, BREAUX, BAUCUS, and LAUTENBERG, with the Clinton Administration, state governments and members of the industrial and environmental communities to achieve a bipartisan fix to this confusing and burdensome law. Despite our best efforts, we were not able to come to an agreement before the close of the 105th Congress.

However, I am eager to press forward and reach a bipartisan agreement this year. There is simply too much time and money being wasted under the current regulatory process for Congress not to take action on this important issue. In fact, according to a GAO report, as much as \$2 billion per year could be saved by making certain common sense legislative fixes to RCRA. In addition to cost savings, cleanups would be accelerated by removing bureaucratic roadblocks. Such reforms mean a win for the economy and a win for the environment.

In closing, I want to reiterate my pledge to working with Senators LOTT, CHAFEE, BAUCUS, and LAUTENBERG to reach consensus on much needed reforms to the RCRA program this year. It will certainly be one of my subcommittee's top priorities.●

#### TRIBUTE TO MATTHEW CONOR REPETA ON ACHIEVING THE RANK OF EAGLE SCOUT

● Mr. SMITH of New Hampshire. Mr. President, I rise today to honor Matthew Conor Repeta, of Bedford, New Hampshire, on achieving the rank of Eagle Scout. This first-rate young man was awarded the rank of Eagle Scout on September 9, 1998, by the District Eagle Board.

Matthew began scouting at the age of seven in Eagan, Minnesota, as a Tiger Cub. He advanced through the Cub Scout ranks of Bobcat, Wolf, Bear and Webelos. Matthew joined Bedford Troop 414 in 1991. While in Troop 414, he was an Assistant Patrol Leader and a Patrol Leader.

I want to commend Matthew for receiving the highest award that is attainable in Scouting. For his Eagle Project, Matthew built a handicap ramp for a local museum with other scouts from his troop. This example of service demonstrates the ideals for which scouting stands. Matthew exemplifies these qualities for which all Scouts strive: Honor, Loyalty, Courage, Cheerfulness and Service. For all of Matthew's hard work and devotion to these ideals, he has earned this coveted recognition. As the father of two former Scouts, I understand the time and effort that is involved in fulfilling the ideals of being a Scout.

I know that Matthew will continue to be a positive role model among his peers, a leader in his community, a friend to those in need and an inspiration to all. I want to extend my sincerest congratulations and best wishes to Matthew. His achievement of Eagle Scout and significant contributions to the Bedford community are truly outstanding. It is an honor to represent him in the United States Senate.●

#### DEATH OF MR. VICTOR STELLO, JR.

● Mr. THURMOND. Mr. President, I have the sad duty to inform the Senate of the untimely death of Victor Stello, Jr., an honored civil servant who had a very great influence on the safe operation of commercial nuclear power plants and Department of Energy nuclear facilities.

Mr. Stello came from a family of coal miners in Pennsylvania. It was from seeing the terrible toll on the health of friends and relatives in the mines that he became convinced that safe, clean nuclear power would be a great boon to our country. He worked tirelessly throughout his career to make nuclear power plants safer and safer. At the Nuclear Regulatory Commission he rose through the ranks because his singular ability and forceful personality made it clear that he was a man who got things done. In turn, he was Director of the Division of Reactor Operations, the Office of Safety and Enforcement, and the task force that investigated the Three Mile Island reac-

tor accident. Eventually he reached the highest civil service position at the Nuclear Regulatory Commission, becoming the Executive Director for Operations.

In 1989 because of his reputation for fixing problems, President Bush nominated him to be Assistant Secretary for Defense Programs at the Department of Energy. Despite the pleas of the Secretary of Energy, James Watkins, a group of antinuclear activists delayed his confirmation. Due to this delay and a subsequent serious leg injury, President Bush reluctantly acceded to Mr. Stello's request that the nomination be withdrawn.

Despite this set back, Secretary Watkins persuaded Mr. Stello to join the Department of Energy as the Principal Deputy Assistant Secretary for Safety and Quality, whose primary duty was to ferret out potentially unsafe practices in Department of Energy nuclear weapons facilities. With his forceful personality, coupled with Secretary Watkins' support and the high responsibility delegated to him by a succession of Assistant Secretaries for Defense Programs, Mr. Stello was able to break through previously impenetrable institutional barriers to effect real and lasting change.

Mr. President, it is because of Mr. Stello's tireless efforts that the Department of Energy reached a high level of safe operations, so that the Nation's critical nuclear deterrent would not become unsafe or unreliable, and that the facilities needed to maintain that deterrent could continue to operate safely.

Mr. President, I ask the Senate to join me in expressing to Mrs. Stello and the children our heartfelt condolences.●

#### BOZEMAN HIGH SCHOOL MARCHING BAND

● Mr. BURNS. Mr. President, I rise today to recognize the outstanding achievements of Montana's Bozeman High School marching band. On January 1, 1999, two hundred and ninety-eight of Montana's finest students performed in front of an estimated 425 million spectators in the Rose Parade in Pasadena, California.

Each New Year's Day, the world focuses its attention on Pasadena for the Tournament of Roses Parade and Rose Bowl Game. It's a celebration that is more than a century old complete with flowers, music, and sports, unequaled anywhere in the world. This is why it is such an honor to be chosen to perform on this festive day. I want to commend the accomplishments of our young folks.

The Bozeman High School Band program has a history of success in competitions statewide and across the nation. This is to the credit of Director Russ Newbury. In 1998, the band placed second overall at the Mountain West Marching Band Competition in Idaho with the Color Guard winning the show.