## KINDNESS IS CONTAGIOUS IN CONGRESS

### HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2000*

Mr. MOORE. Mr. Speaker, I rise today to honor a successful anti-violence organization in my district. Founded in 1982 in Kansas City, the STOP Violence Coalition's mission is to promote non-violence through education, programming, and collaboration. The program serves 25,000 students, parents, educators, and inmates each year through kindness education, bullying prevention, and inmate rehabilitation. Its founder and one of my constituents, SuEllen Fried, is a well-known leader in the fields of child abuse and peer abuse prevention.

The STOP Violence Coalition has had success with many of its programs. The Reaching Out From Within™ program, directed toward inmate rehabilitation, has a 23% recidivism rate, compared to the national average of approximately 60%. The Coalition has also compiled the 12 Contributing Factors to Violence™, organized the Elder Rights Coalition™, and collaborated with area agencies to address issues related to violence prevention and organization. The Coalition has received the 1999 National American Community Award from the National Council on Crime and Delinquency.

One of the STOP Violence Coalition's most effective programs is the Kindness is Contagious™ program. Last week, at the request of another community leader, who is also of my constituents, Norman Polsky, I distributed Kindness is Contagious . . . Catch it! buttons to each of my colleagues in the House. The purpose of the buttons is to wear the Kindness button until someone is observed behaving kindly toward another, at which time the button is passed on. The recipient is asked to observe others for kind behavior and to pass on the button to someone else who deserves the recognition. Thus it become everyone's responsibility to continue the chain of kindness and giving.

Though the program is school-based, the message is not just for youth. Youth and grown-ups alike need to keep in mind that although we have strong feelings and will disagree about certain things, at the end of the day we should always treat people with the dignity they deserve.

Nearly 300,000 students in 400 Kansas City area schools have participated in Kindness is Contagious™, which promotes the passing of the Kindness button. Since June of this year, over 1,500 inquiries from concerned citizens throughout the country and world have contacted the STOP Violence Coalition to see how they can start the Kindness program in their own communities.

Mr. Speaker, this program is something that has made people around the nation stop and think about their personal behavior and how it affects others, something all of us—within and outside of Congress—should always keep in mind. I would like to thank SuEllen Fried and Normal Polsky for their leadership and vision with these programs and their many efforts throughout our community. I commend them for their tireless service and dedication.

I hope these buttons will change hands many times and encourage caring, consideration, and compassion. I will be wearing this button in an effort to promote kindness. I urge my colleagues to join me in this effort and spread this program to their districts.

## TRIBUTE TO MS. DEBBIE RUMMEL: MIDWEST DISTRICT HIGH SCHOOL PHYSICAL EDUCATOR OF THE YEAR

### HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2000*

Mr. MANZULLO. Mr. Speaker, I am proud to take this opportunity to officially recognize an outstanding educator from the 16th district of Illinois for her important contributions to advancing educational excellence in Illinois.

Ms. Debbie Rummel lives in Spring Grove and is a physical education teacher at Antioch Community High School in Antioch, IL. She exemplifies the innovation and encouragement that teachers can bring to education. Ms. Rummel has recently been recognized by the National Association for Sport and Physical Education (NASPE) for her outstanding teaching skills and her ability to influence students to continue to engage in physical activities throughout life.

Beyond receiving NASPE's Midwest District High School Physical Educator of the Year Award, Ms. Rummel has also been inducted into the University of Wisconsin-Platteville's Athletic Hall of Fame, granted a Nutrition Education Teaching Award from Illinois NET, and received a Governor's Award of Excellence in Physical Education and Fitness.

I am honored and pleased to have this opportunity to pay tribute to the hard work and dedication that characterizes Ms. Rummel's gift of teaching.

## PERSONAL EXPLANATION

### HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2000*

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from the chamber on Monday, July 17 when rollcall votes numbered 401, 402, 403 and 404 were cast. Had I been present in the Chamber at the time these votes were cast, I would have voted ''yes'' on rollcall vote 401, ''yes'' on rollcall vote 402, ''yes'' on rollcall vote 403 and ''no'' on rollcall vote 404.

## PERSONAL EXPLANATION

### HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2000*

Mr. BACA. Mr. Speaker, last week I was granted leave of absence for July 19, 2000 and the balance of the week, on account of a death in the family.

Had I been present, I would have voted on the following rolls, as indicated:

No. 412—On Passage of H.R. 1102, the Comprehensive Retirement Security and Pension Reform Act—''Yea''

No. 413—On Agreeing to the Conference Report for the Defense Appropriations Act for FY 2001, H.R. 4576—''Yea''

No. 415—Motion to Instruct Conferees on H.R. 4577, Making Appropriations for Labor, Health and Human Services for Fiscal Year 2001—''Yea''

No. 416—On Passage of H.R. 2634, the Drug Addiction Treatment Act—''Yea''.

## CONFERENCE REPORT ON H.R. 4810, MARRIAGE TAX RELIEF RECONCILIATION ACT OF 2000

SPEECH OF

### HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 2000*

Mr. UDALL of Colorado. Mr. Speaker, when we considered this bill earlier, I voted for it, although I was very reluctant to do so. But I cannot vote for this conference report.

My support for the bill was reluctant because while I support ending the ''marriage penalty,'' I thought the House bill was not the right way to achieve that goal. In some areas it did too little, and in others it did too much.

It did too little because it did not adjust the Alternative Minimum Tax. That means it would have left many middle-income families unprotected from having most of the promised benefits of the bill taken away. The Democratic substitute would have adjusted the Alternative Minimum Tax, which is one of the reasons I voted for that better bill.

The Republican leadership's bill did too much in another area. Because it was not carefully targeted, it did not just apply to people who pay a penalty because they are married. Instead, a large part of the total benefits under the bill would have gone to married people whose taxes already are lower than they would be if they were single. In other words, a primary result would not be to lessen marriage ''penalties'' but to increase marriage ''bonuses.''

And, by going beyond what's needed to end marriage ''penalties'' the House bill would have gone too far in reducting the surplus funds that will be needed to bolster Social Security and Medicare.

Those were the reasons for my reluctance to vote for this bill. They were strong reasons. In fact, as I said then, if voting for the bill would have meant that it immediately would have become law, I would have voted against it. But, I reluctantly voted for it because at that point the Senate still had a chance to improve it.

I was prepared to give the Republican leadership one last chance to correct the bill's deficiencies rather than simply to insist on sending it to the President for the promised veto. I hope that the Republican leadership would allow the bill to be improved to the point that it would merit becoming law—meaning that it would deserve the President's signature.

Unfortunately, they did not take advantage of that opportunity. Instead, today they are insisting on sending to the President a bill that falls short of being appropriate for signature into law. I cannot support that approach, and I cannot support this conference report.

The conference report is not identical to the House bill, but it is still very poorly targeted.

Half of the tax relief would go to couples who are not affected by any marriage penalty at all—and overall the bill is still fatally flawed. It seems clear that the Republican leadership has decided to insist on trying to force the President to veto this bill, on a timetable based on their national nominating convention.

I greatly regret that the Republican leaders have decided to insist on confrontation with the President instead of seeking a workable compromise that would lead to a bill that the President could sign into law.

The President has said that he will veto this conference report, and I expect that to occur. I hope that after that veto members on both sides of the aisle will work to develop a bill that will appropriately address the real problem of the ''marriage penalty'' and that can be signed into law this year.

## INTRODUCTION OF H.R. 4922, THE TMDL REGULATORY ACCOUNTABILITY ACT OF 2000

### HON. SHERWOOD L. BOEHLERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2000*

Mr. BOEHLERT. Mr. Speaker, I am very pleased to be an original cosponsor of H.R. 4922, The TMDL Regulatory Accountability Act of 2000.

TMDL stands for ''Total Maximum Daily Loads.'' TMDLs are useful tools provided by the Clean Water Act to bring water bodies into compliance with water quality standards. I support the Clean Water Act's TMDL program. I am pleased that EPA, States, and Congress are finally turning their attention to this program and are providing more resources for States to move ahead and develop and implement TMDLs under existing regulations.

However, like many, I have concerns about EPA's proposed changes to the TMDL program. I have expressed my concerns about these proposed changes, and the process used by EPA to make these changes, at hearings, in letters and phone calls to EPA Administrator Browner and the Director of OMB, Jacob Lew, and in public statements.

I have not been alone in expressing concerns. Many Members of Congress, the National Governor's Association and individual governors, the Association of State and Interstate Water Pollution Control Administrators and individual state agencies, EarthJustice Legal Defense Fund, Friends of the Earth, the Conservation Law Foundation, California Association of Sewerage Agencies, the National Federation of Independent Business, the U.S. Chamber of Commerce, the American Forest and Paper Association, the American Farm Bureau Federation, PACE International Union, and the United Brotherhood of Carpenters and Joiners of America all have expressed serious concerns about EPA's proposals.

I find it significant that the National Governors' Association, the State Water Pollution Control Administrators, EarthJustice Legal Defense Fund, Friends of the Earth, and the Conservation Law Foundation all share the view that EPA's new TMDL regulations will actually hinder progress in improving water quality and will slow down implementation of the TMDL program.

These State organizations and environmental organizations have different reasons for holding this view.

On July 6, 2000, NGA wrote to President Clinton that—

''The TMDL rules have the potential to cause major financial burdens on our state environmental agencies and severe economic impacts on our states.''

''The restrictive language of the regulation will virtually eliminate the flexibility of states to offer opportunities to reduce overall pollution between waterbodies.''

''The 'one-size-fits-all' approach proposed by the regulations will inevitably fail, resulting in mountains of paperwork and no appreciable improvement in water quality.''

The Association of State and Interstate Water Pollution Control Administrators wrote to Administrator Browner that—

''It is the view of the majority of the state water quality program managers responsible for the day to day implementation of the clean water programs, that this set of rules is technically, scientifically and fiscally unworkable.''

On May 19, 2000, six environmental organizations wrote to Administrator Browner that—

''Due to the problems we outline below, we are asking you to withdraw the current version of the proposed rule, which is so fundamentally flawed that it would weaken the existing TMDL program. In addition, we are concerned that if the Administration attempts to finalize this rule, the overwhelming opposition it faces in Congress could result in a weakening of the Clean Water Act itself.''

''Our organizations have many objections to the August 23 proposal, the most serious of which include the unjustifiably long timeline of up to 15 years to states to prepare TMDLs, the lack of requirements for EPA to step in and do the job if states fail to submit TMDLs or miss other regulatory deadlines, the omission of deadlines for meeting water quality standards, and the overall unenforceability of the new program.''

Of the six groups that signed the May 19 letter, three (Friends of the Earth, EarthJustice Legal Defense Fund, and the Conservation Law Foundation) continue to oppose the TMDL rule.

The state organizations and environmental organizations I quoted from have very different views on how to improve the TMDL program. However, they all share the goal of improving the TMDL program so that it is a more effective tool for improving water quality. Given this shared goal, I believe that we should be able to develop program improvements that can be embraced by both the National Governors' Association and environmental groups. And, given the difficulties in addressing nonpoint source pollution, it is critical to have the support and cooperation of the nonpoint source community. Rushing a regulation through that threatens lawsuits and withholding funds to achieve compliance will not result in improved water quality. It will only undermine public support for Clean Water Act programs.

EPA has failed to demonstrate leadership on this issue. As a result, EPA's new TMDL regulations, signed by Administrator Browner on July 11, do not have public support. In fact, aside from some in the environmental community, EPA can point to only two or three states and one organization representing the regulated community—the Association of Metropolitan Sewerage Agencies—that support the final rule. And even with in AMSA there is not agreement. The California Association of Sewerage Agencies, representing 95 California municipal sewerage agencies, shares the view held by most organizations representing point sources—that ''the administration's apparent decision to rush to publication of an important rule will only promote litigation and years of delays in responding to actual threats to our nation's lakes, rivers and coastal waters.''

I am not suggesting that all persons must agree with regulations, but EPA has made no attempt to engage in the public discourse that must take place to unite stakeholders behind the common goal of improving water quality, despite numerous requests from stakeholders asking EPA to allow additional public comment and seeking additional information from EPA on the impacts of the new TMDL regulations.

Fortunately, EPA's new TMDL regulations will not become effective until fiscal year 2002 and we have the opportunity for additional comment and analysis that many stakeholders and many members of Congress had asked EPA to undertake before finalizing its new TMDL rule.

First, we need to engage the public on this issue. EPA dismissed the criticism of its new TMDL rule as ''misunderstanding'' of EPA's intent. The final rule and EPA's preamble explaining intent were published in the Federal Register on July 13, 2000.

H.R. 4922 requires EPA to solicit and respond to public comment on EPA's changes to the TMDL program.

Second, we need to understand the scope of the problem. In her July 11, 2000 press release announcing the signing of the new TMDL regulations, Administrator Browner states that ''40 percent of America's waters are still too polluted.'' However, EPA's estimate of the costs of developing and implementing TMDLs is based on 20,000 impaired waterbodies—representing only 10 percent of the Nation's waters. What is the scope of the problem? 40 percent impairment or 10 percent? The General Accounting Office pointed out in a recent report that only 6 states have sufficient data to identify the scope of water quality impairments in the State. As a result, neither EPA nor the public knows the actual scope of the water quality problem.

H.R. 4922 requires EPA to come up with a plan to fill these data gaps, and create a budget for implementing that plan.

Third, we need an understanding of what methods should be used to address these matters. Too often, EPA's new TMDL regulations simply assume away difficult water quality problems. For example, the new regulations consider the sun a source of pollution—heat—but do not explain how to go about regulating the sun, stating that: ''What needs to be done to mitigate heat load from solar input will be addressed by a State, Territory, or authorized Tribe when it establishes the TMDL.'' The final rule similarly has no answers for how to address pollution from atmospheric deposition, or legacy pollution.

H.R. 4922 includes a study by the National Academy of Sciences to improve our ability to identify sources of pollution and allocate loadings among them.

Fourth, we need an understanding of what kind of sacrifices the public must make to solve our remaining water quality problems, and the benefits that will be achieved if we dedicate resources to this effort. Again, EPA has failed to provide this information. EPA estimates that the total cost of the TMDL rule will be less than $23 million a year. EPA did not