must oppose as will many of my colleagues. Hopefully in the next Congress we will be able to pass genuine Superfund and Brownfield legislation.

Mr. BARCIA. Mr. Speaker, I rise today in support of H.R. 5175, the Small Business Liability Relief Act which is important to the welfare of our nation's small businesses.

H.R. 5175 is bipartisan legislation that will streamline the Superfund process by removing innocent small businesses from liability. I have read this bill. I have looked at the language. It is specifically tailored so that the little guys in our districts will no longer be punished for legally disposing of their household trash. It is written so that the government will finally be able to bring justice to big polluters at Superfund sites trying to shirk their responsibilities for cleanup by suing your innocent small business owners. The big polluters will pay and they will have no excuses.

I have in my office a stack of letters from small business owners throughout my home state of Michigan embroiled in the Superfund process. For seven years, small business owners in my district have complained to me about the enormous costs their businesses have incurred as a result of the flawed Superfund system. For seven years, we have stood on this floor and in committee rooms trying to pass fair, bipartisan legislation that would get them out, while still preserving the original intentions of the program. For seven years, we have failed. Today, we have a chance to succeed. A chance to finally remove innocent small businesses from the process so we can punish the big polluters and finally get these sites cleaned up. This bill is the best chance we have to act as a bipartisan body to start cleaning up the Superfund program.

The time has come to do something to help innocent small business owners in your district and mine, and the vehicle is here: H.R. 5175.

Mr. SHUSTER. Mr. Speaker, I rise in strong support for H.R. 5175, the Small Business Liability Relief Act.

Like most Members of Congress, I know small businessmen in my district who have been caught up in superfund litigation. It is terrible to see the toll it takes on the lives of these individuals. They don't know if they will lose their businesses, or even their homes.

I would like to enact legislation that eliminates superfund liability for everyone. But I recognize that disagreements remain about how to do that, and how to pay for it.

But if there is one thing all of us should be able to agree on, it is liability relief for small businesses that sent only 2 drums of waste or only ordinary garbage to a superfund site.

Congress never intended that these parties be subject to superfund liability.

Please vote ''yes'' on H.R. 5175.

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the motion offered by the gentleman from Ohio (Mr. OXLEY) that the House suspend the rules and pass the bill, H.R. 5175, as amended.

The question was taken.

Mr. TOWNS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

BEACHES ENVIRONMENTAL AWARENESS, CLEANUP, AND HEALTH ACT OF 1999

Mr. BOEHLERT. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 999) to amend the Federal Water Pollution Control Act to improve the quality of coastal recreation waters, and for other purposes.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Beaches Environmental Assessment and Coastal Health Act of 2000''.

SEC. 2. ADOPTION OF COASTAL RECREATION WATER QUALITY CRITERIA AND STANDARDS BY STATES.

Section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313) is amended by adding at the end the following:

''(i) COASTAL RECREATION WATER QUALITY CRITERIA.—

''(1) ADOPTION BY STATES.—

''(A) INITIAL CRITERIA AND STANDARDS.—Not later than 42 months after the date of enactment of this subsection, each State having coastal recreation waters shall adopt and submit to the Administrator water quality criteria and standards for the coastal recreation waters of the State for those pathogens and pathogen indicators for which the Administrator has published criteria under section 304(a).

''(B) NEW OR REVISED CRITERIA AND STANDARDS.—Not later than 36 months after the date of publication by the Administrator of new or revised water quality criteria under section 304(a)(9), each State having coastal recreation waters shall adopt and submit to the Administrator new or revised water quality standards for the coastal recreation waters of the State for all pathogens and pathogen indicators to which the new or revised water quality criteria are applicable.

''(2) FAILURE OF STATES TO ADOPT.—

''(A) IN GENERAL.—If a State fails to adopt water quality criteria and standards in accordance with paragraph (1)(A) that are as protective of human health as the criteria for pathogens and pathogen indicators for coastal recreation waters published by the Administrator, the Administrator shall promptly propose regulations for the State setting forth revised or new water quality standards for pathogens and pathogen indicators described in paragraph (1)(A) for coastal recreation waters of the State.

''(B) EXCEPTION.—If the Administrator proposes regulations for a State described in subparagraph (A) under subsection (c)(4)(B), the Administrator shall publish any revised or new standard under this subsection not later than 42 months after the date of enactment of this subsection.

''(3) APPLICABILITY.—Except as expressly provided by this subsection, the requirements and procedures of subsection (c) apply to this subsection, including the requirement in subsection (c)(2)(A) that the criteria protect public health and welfare.''.

SEC. 3. REVISIONS TO WATER QUALITY CRITERIA.

(a) STUDIES CONCERNING PATHOGEN INDICATORS IN COASTAL RECREATION WATERS.—Section 104 of the Federal Water Pollution Control Act (33 U.S.C. 1254) is amended by adding at the end the following:

''(v) STUDIES CONCERNING PATHOGEN INDICATORS IN COASTAL RECREATION WATERS.—Not later than 18 months after the date of enactment of this subsection, after consultation and in cooperation with appropriate Federal, State, tribal, and local officials (including local health officials), the Administrator shall initiate, and, not later than 3 years after the date of enactment of this subsection, shall complete, in cooperation with the heads of other Federal agencies, studies to provide additional information for use in developing—

''(1) an assessment of potential human health risks resulting from exposure to pathogens in coastal recreation waters, including nongastrointestinal effects;

''(2) appropriate and effective indicators for improving detection in a timely manner in coastal recreation waters of the presence of pathogens that are harmful to human health;

''(3) appropriate, accurate, expeditious, and cost-effective methods (including predictive models) for detecting in a timely manner in coastal recreation waters the presence of pathogens that are harmful to human health; and

''(4) guidance for State application of the criteria for pathogens and pathogen indicators to be published under section 304(a)(9) to account for the diversity of geographic and aquatic conditions.''.

(b) REVISED CRITERIA.—Section 304(a) of the Federal Water Pollution Control Act (33 U.S.C. 1314(a)) is amended by adding at the end the following:

''(9) REVISED CRITERIA FOR COASTAL RECREATION WATERS.—

''(A) IN GENERAL.—Not later than 5 years after the date of enactment of this paragraph, after consultation and in cooperation with appropriate Federal, State, tribal, and local officials (including local health officials), the Administrator shall publish new or revised water quality criteria for pathogens and pathogen indicators (including a revised list of testing methods, as appropriate), based on the results of the studies conducted under section 104(v), for the purpose of protecting human health in coastal recreation waters.

''(B) REVIEWS.—Not later than the date that is 5 years after the date of publication of water quality criteria under this paragraph, and at least once every 5 years thereafter, the Administrator shall review and, as necessary, revise the water quality criteria.''.

SEC. 4. COASTAL RECREATION WATER QUALITY MONITORING AND NOTIFICATION.

Title IV of the Federal Water Pollution Control Act (33 U.S.C. 1341 et seq.) is amended by adding at the end the following:

''SEC. 406. COASTAL RECREATION WATER QUALITY MONITORING AND NOTIFICATION.

''(a) MONITORING AND NOTIFICATION.—

''(1) IN GENERAL.—Not later than 18 months after the date of enactment of this section, after consultation and in cooperation with appropriate Federal, State, tribal, and local officials (including local health officials), and after providing public notice and an opportunity for comment, the Administrator shall publish performance criteria for—

''(A) monitoring and assessment (including specifying available methods for monitoring) of coastal recreation waters adjacent to beaches or similar points of access that are used by the public for attainment of applicable water quality standards for pathogens and pathogen indicators; and

''(B) the prompt notification of the public, local governments, and the Administrator of any exceeding of or likelihood of exceeding applicable water quality standards for coastal recreation waters described in subparagraph (A).

''(2) LEVEL OF PROTECTION.—The performance criteria referred to in paragraph (1) shall provide that the activities described in subparagraphs (A) and (B) of that paragraph shall be carried out as necessary for the protection of public health and safety.

''(b) PROGRAM DEVELOPMENT AND IMPLEMENTATION GRANTS.—

''(1) IN GENERAL.—The Administrator may make grants to States and local governments to develop and implement programs for monitoring and notification for coastal recreation waters

adjacent to beaches or similar points of access that are used by the public.

''(2) LIMITATIONS.—

''(A) IN GENERAL.—The Administrator may award a grant to a State or a local government to implement a monitoring and notification program if—

''(i) the program is consistent with the performance criteria published by the Administrator under subsection (a);

''(ii) the State or local government prioritizes the use of grant funds for particular coastal recreation waters based on the use of the water and the risk to human health presented by pathogens or pathogen indicators;

''(iii) the State or local government makes available to the Administrator the factors used to prioritize the use of funds under clause (ii);

''(iv) the State or local government provides a list of discrete areas of coastal recreation waters that are subject to the program for monitoring and notification for which the grant is provided that specifies any coastal recreation waters for which fiscal constraints will prevent consistency with the performance criteria under subsection (a); and

''(v) the public is provided an opportunity to review the program through a process that provides for public notice and an opportunity for comment.

''(B) GRANTS TO LOCAL GOVERNMENTS.—The Administrator may make a grant to a local government under this subsection for implementation of a monitoring and notification program only if, after the 1-year period beginning on the date of publication of performance criteria under subsection (a)(1), the Administrator determines that the State is not implementing a program that meets the requirements of this subsection, regardless of whether the State has received a grant under this subsection.

''(3) OTHER REQUIREMENTS.—

''(A) REPORT.—A State recipient of a grant under this subsection shall submit to the Administrator, in such format and at such intervals as the Administrator determines to be appropriate, a report that describes—

''(i) data collected as part of the program for monitoring and notification as described in subsection (c); and

''(ii) actions taken to notify the public when water quality standards are exceeded.

''(B) DELEGATION.—A State recipient of a grant under this subsection shall identify each local government to which the State has delegated or intends to delegate responsibility for implementing a monitoring and notification program consistent with the performance criteria published under subsection (a) (including any coastal recreation waters for which the authority to implement a monitoring and notification program would be subject to the delegation).

''(4) FEDERAL SHARE.—

''(A) IN GENERAL.—The Administrator, through grants awarded under this section, may pay up to 100 percent of the costs of developing and implementing a program for monitoring and notification under this subsection.

''(B) NON-FEDERAL SHARE.—The non-Federal share of the costs of developing and implementing a monitoring and notification program may be—

''(i) in an amount not to exceed 50 percent, as determined by the Administrator in consultation with State, tribal, and local government representatives; and

''(ii) provided in cash or in kind.

''(c) CONTENT OF STATE AND LOCAL GOVERNMENT PROGRAMS.—As a condition of receipt of a grant under subsection (b), a State or local government program for monitoring and notification under this section shall identify—

''(1) lists of coastal recreation waters in the State, including coastal recreation waters adjacent to beaches or similar points of access that are used by the public;

''(2) in the case of a State program for monitoring and notification, the process by which the State may delegate to local governments responsibility for implementing the monitoring and notification program;

''(3) the frequency and location of monitoring and assessment of coastal recreation waters based on—

''(A) the periods of recreational use of the waters;

''(B) the nature and extent of use during certain periods;

''(C) the proximity of the waters to known point sources and nonpoint sources of pollution; and

''(D) any effect of storm events on the waters;

''(4)(A) the methods to be used for detecting levels of pathogens and pathogen indicators that are harmful to human health; and

''(B) the assessment procedures for identifying short-term increases in pathogens and pathogen indicators that are harmful to human health in coastal recreation waters (including increases in relation to storm events);

''(5) measures for prompt communication of the occurrence, nature, location, pollutants involved, and extent of any exceeding of, or likelihood of exceeding, applicable water quality standards for pathogens and pathogen indicators to—

''(A) the Administrator, in such form as the Administrator determines to be appropriate; and

''(B) a designated official of a local government having jurisdiction over land adjoining the coastal recreation waters for which the failure to meet applicable standards is identified;

''(6) measures for the posting of signs at beaches or similar points of access, or functionally equivalent communication measures that are sufficient to give notice to the public that the coastal recreation waters are not meeting or are not expected to meet applicable water quality standards for pathogens and pathogen indicators; and

''(7) measures that inform the public of the potential risks associated with water contact activities in the coastal recreation waters that do not meet applicable water quality standards.

''(d) FEDERAL AGENCY PROGRAMS.—Not later than 3 years after the date of enactment of this section, each Federal agency that has jurisdiction over coastal recreation waters adjacent to beaches or similar points of access that are used by the public shall develop and implement, through a process that provides for public notice and an opportunity for comment, a monitoring and notification program for the coastal recreation waters that—

''(1) protects the public health and safety;

''(2) is consistent with the performance criteria published under subsection (a);

''(3) includes a completed report on the information specified in subsection (b)(3)(A), to be submitted to the Administrator; and

''(4) addresses the matters specified in subsection (c) .

''(e) DATABASE.—The Administrator shall establish, maintain, and make available to the public by electronic and other means a national coastal recreation water pollution occurrence database that provides—

''(1) the data reported to the Administrator under subsections (b)(3)(A)(i) and (d)(3); and

''(2) other information concerning pathogens and pathogen indicators in coastal recreation waters that—

''(A) is made available to the Administrator by a State or local government, from a coastal water quality monitoring program of the State or local government; and

''(B) the Administrator determines should be included.

''(f) TECHNICAL ASSISTANCE FOR MONITORING FLOATABLE MATERIAL.—The Administrator shall provide technical assistance to States and local governments for the development of assessment and monitoring procedures for floatable material to protect public health and safety in coastal recreation waters.

''(g) LIST OF WATERS.—

''(1) IN GENERAL.—Beginning not later than 18 months after the date of publication of performance criteria under subsection (a), based on information made available to the Administrator, the Administrator shall identify, and maintain a list of, discrete coastal recreation waters adjacent to beaches or similar points of access that are used by the public that—

''(A) specifies any waters described in this paragraph that are subject to a monitoring and notification program consistent with the performance criteria established under subsection (a); and

''(B) specifies any waters described in this paragraph for which there is no monitoring and notification program (including waters for which fiscal constraints will prevent the State or the Administrator from performing monitoring and notification consistent with the performance criteria established under subsection (a)).

''(2) AVAILABILITY.—The Administrator shall make the list described in paragraph (1) available to the public through—

''(A) publication in the Federal Register; and

''(B) electronic media.

''(3) UPDATES.—The Administrator shall update the list described in paragraph (1) periodically as new information becomes available.

''(h) EPA IMPLEMENTATION.—In the case of a State that has no program for monitoring and notification that is consistent with the performance criteria published under subsection (a) after the last day of the 3-year period beginning on the date on which the Administrator lists waters in the State under subsection (g)(1)(B), the Administrator shall conduct a monitoring and notification program for the listed waters based on a priority ranking established by the Administrator using funds appropriated for grants under subsection (i)—

''(1) to conduct monitoring and notification; and

''(2) for related salaries, expenses, and travel.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for making grants under subsection (b), including implementation of monitoring and notification programs by the Administrator under subsection (h), $30,000,000 for each of fiscal years 2001 through 2005.''.

SEC. 5. DEFINITIONS.

Section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362) is amended by adding at the end the following:

''(21) COASTAL RECREATION WATERS.—

''(A) IN GENERAL.—The term 'coastal recreation waters' means—

''(i) the Great Lakes; and

''(ii) marine coastal waters (including coastal estuaries) that are designated under section 303(c) by a State for use for swimming, bathing, surfing, or similar water contact activities.

''(B) EXCLUSIONS.—The term 'coastal recreation waters' does not include—

''(i) inland waters; or

''(ii) waters upstream of the mouth of a river or stream having an unimpaired natural connection with the open sea.

''(22) FLOATABLE MATERIAL.—

''(A) IN GENERAL.—The term 'floatable material' means any foreign matter that may float or remain suspended in the water column.

''(B) INCLUSIONS.—The term 'floatable material' includes—

''(i) plastic;

''(ii) aluminum cans;

''(iii) wood products;

''(iv) bottles; and

''(v) paper products.

''(23) PATHOGEN INDICATOR.—The term 'pathogen indicator' means a substance that indicates the potential for human infectious disease.''.

SEC. 6. INDIAN TRIBES.

Section 518(e) of the Federal Water Pollution Control Act (33 U.S.C. 1377(e)) is amended by striking ''and 404'' and inserting ''404, and 406''.

SEC. 7. REPORT.

(a) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, and every 4 years thereafter, the Administrator of the Environmental Protection Agency shall submit to Congress a report that includes—

(1) recommendations concerning the need for additional water quality criteria for pathogens and pathogen indicators and other actions that should be taken to improve the quality of coastal recreation waters;

(2) an evaluation of Federal, State, and local efforts to implement this Act, including the amendments made by this Act; and

(3) recommendations on improvements to methodologies and techniques for monitoring of coastal recreation waters.

(b) COORDINATION.—The Administrator of the Environmental Protection Agency may coordinate the report under this section with other reporting requirements under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out the provisions of this Act, including the amendments made by this Act, for which amounts are not otherwise specifically authorized to be appropriated, such sums as are necessary for each of fiscal years 2001 through 2005.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. BOEHLERT) and the gentleman from Pennsylvania (Mr. BORSKI) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. BOEHLERT).

□ 1745

Mr. BOEHLERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am very pleased to support H.R. 999, the Beaches Environmental Assessment and Coastal Health Act of 2000, which was introduced and championed by the gentleman from California (Mr. BILBRAY). He has been a tireless advocate for monitoring the quality of our Nation's coastal recreation waters.

This issue has been languishing in Congress for years. But thanks to the tenacity of the gentleman from California (Mr. BILBRAY), all the interested parties have come together, come to the table, and we have reached an agreement on a bipartisan basis. That is a tribute, a singular tribute to the gentleman from California (Mr. BILBRAY). It is a privilege to work with him on this very important legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. BORSKI. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BORSKI asked and was given permission to revise and extend his remarks.)

Mr. BORSKI. Mr. Speaker, this bill represents a significant step in protecting the health of millions of beach goers. It passed the Senate unanimously. It is supported by the administration, the States, and the environmental community. It is a good bill worthy of our support, and I urge its passage.

I am pleased to lend my support to H.R. 999, the BEACHES bill. This simple, but important legislation aims at protecting our nation's beach goers from unhealthy ocean water quality conditions. Wherever it may be, beach goers, everywhere, have the right to know that the waters they choose to visit are safe for themselves and their families.

Mr. Speaker, this legislation is the product of work conducted over the past few Congresses. Originally introduced by our friend and former colleague, Bill Hughes, in 1990, this issue has subsequently been picked up by our colleagues from New Jersey, Mr. PALLONE and Senator LAUTENBERG, and by the sponsor of this legislation, Mr. BILBRAY from California. I commend these gentlemen for their dedication and their tireless efforts to protect the public from unhealthy water conditions at our nation's beaches. And I am pleased that this time, we will send this important legislation to the President for his signature.

The BEACHES bill advocates three simple principles: First, beach water quality should be monitored. You cannot know whether waters are safe unless the waters are adequately tested. Second, water quality criteria should be uniform. Just as we provide assurances to the public that water supplies will be safe for drinking no matter which state a person happens to be in, the public should feel confident that the public health standards at our Nation's beaches meet minimum, consistent health requirements. And finally, if a health problem is discovered at the beach, the public has the right to prompt, accurate, and effective notification so that they may protect themselves and their families.

In realizing these principals, this legislation authorizes over $30 million in funding for Federal, State, and local partnerships for water quality monitoring and notification. Under this legislation, States and localities would be given the flexibility to tailor their monitoring and notification programs to meet local needs, so long as these programs are consistent with EPA's minimum requirements for the protection of public health and safety. In addition, the BEACHES bill directs the EPA to periodically review and develop revised water quality criteria for coastal areas to ensure we are using the best scientific information available. The public deserves no less. Finally, this legislation requires EPA to maintain a publicly available database of our nation's beaches, listing those beaches that are subject to local monitoring programs, and those that do not. This information will be very helpful to many Americans for vacation planning, so they will know whether the waters at their favorite vacation spot are safe, and will choose accordingly.

Mr. Speaker, I support this important legislation, and urge my colleagues to vote for its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. BOEHLERT. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. BILBRAY), the author of this bill and the driving force behind it all.

(Mr. BILBRAY asked and was given permission to revise and extend his remarks.)

Mr. BILBRAY. Mr. Speaker, I would like to thank the gentleman from Pennsylvania (Mr. BORSKI), the ranking member, and the gentleman from New York (Mr. BOEHLERT), chairman of the Subcommittee on Water Resources and Environment. I appreciate the bipartisan way we have approached this issue.

I am glad to see the gentleman from Minnesota (Mr. OBERSTAR), the ranking member, here today who has worked on a lot of water quality issues over the years.

H.R. 999 is really a bipartisan approach to addressing an old problem. What we have done is try to raise not only our environmental strategies to a higher level of outcome-based approaches, but also the political process here in Washington, to one of putting the public's health first ahead of partisan bickering.

It has been a privilege to work with the subcommittee chairman and the ranking members. The gentleman from Pennsylvania (Chairman SHUSTER) has been a leader on this issue. The Senate has taken up the challenge after we passed this on Earth Day a year ago, and they have moved it along.

I would just like to say sincerely that we are talking about a bill, H.R. 999, that will allow the American people to know when their beaches are clean, and if it is safe for their children to go in the water. They will be able to go on the Internet to see that, should one want to go to Ocean City, whether Ocean City be safe enough to be able to surf in this weekend. If one wants to go to San Diego next week, will it be safe at La Jolla, Imperial Beach or Coronado to be able to allow one's children, indeed, allow oneself, to get in the water and enjoy the waves and the ocean.

It will mean that those from the Gulf to the Great Lakes will finally be able to say we know about our water quality and we know if it is safe.

I would just ask every Member here to recognize that this is not just a victory for the environment, it is a victory for this institution and the system because, while we may fight and bicker about a lot of things, when it came to our children and our grandchildren's health, when it came to the safety of our communities and the safety of our families, Democrats, Republicans worked together on this bill. They worked together and found reasons to vote aye.

I want to thank both sides for that kind of cooperative effort. I want to thank my colleagues for not only setting an example here in the House, but I think to the rest of the country that we can work together as Americans for Americans. I think people are going to look back at the Beach bill of 2000 and say, why do we not do more of that? Why do we not work together more? Why do we not help the environment together?

Mr. Speaker, I rise in strong support of H.R. 999, on behalf of all surfers, swimmers, divers, sailors, lifeguards, and all Americans who love the ocean.

This is a real triumph, not only for coastal communities and ocean enthusiasts of all kinds, but in fact for all beach users or visitors all across this country. We've been able to take a strong bill that we passed unanimously in the House last year, and make it even more effective, by taking the perspectives and real

life experiences shared with us by local and state public health officials and water administrators, members of the environmental community, and other stakeholders. H.R. 999 reflects what can really be accomplished for the environment by working together in an inclusive and bipartisan manner, and I'm very proud of both the process that produced this important public health bill, and the fact that we are in a position here today to send this bill to the President.

Mr. Speaker, we've come a long way since I first sat down with the Surfrider Foundation and the San Diego Department of Environmental Health to seek their input in the process of drafting what became H.R. 999. Now, no longer will surfers, swimmers, and beach-going families and their children have to serve as the proverbial ''canaries in the coal mine''. H.R. 999 will provide coastal states with both the incentive and the financial means to develop and implement a specific monitoring and public notification program for its recreational waters, in partnership with local, state, and federal public health officials.

This is a strong step in a new direction, away from a punitive, over-regulatory approach to an inclusive and incentive-based process, which is tailored specifically to encourage the growth and implementation of testing and notification programs that meet the needs of individual communities or regions. What is most effective for water quality testing and subsequent public notification in New Jersey may not be as appropriate along the California coast, or vice versa. This bill recognizes the need for flexibility and partnership in developing these programs, based on strong and current science. One of the problems we've encountered in water quality testing in general is the use of outdated science and methodology; under H.R. 999, that science will be constantly under scrutiny and review to help ensure that the best available information is being used as the foundation for these custom-made programs.

The bottom line is that due to the implementation of this bill, families from across the country will be able to go to the beach with the expectation that it is either safe to go into the water at a given location, or that they will be properly informed if it is not. In many instances, families will be able to go on-line to determine whether a given beach is clean and safe before leaving their house, another example of how H.R. 999 uses current technology to better inform the public.

Mr. Speaker, this is something I'm extremely proud of, but it has been an incredible team effort. I want to particularly thank my colleagues in both the House and Senate, who worked so hard and in a bipartisan fashion to help achieve this wonderful result we have here today. In the House, Water Resources Subcommittee Chairman SHERRY BOEHLERT and full Transportation Committee Chairman BUD SHUSTER, along with their counterparts ROBERT BORSKI and JAMES OBERSTAR, have committed considerable time and energy toward this day. The committee staff deserve particular recognition for the considerable time, attention, and long hours they've focused on this goal, particularly Susan Bodine and Ben Grumbles of the Chairman's staff, and Ken Kopocis of Mr. OBERSTAR's staff.

In the other body, Senate Environment committee Chairman ROBERT SMITH made H.R. 999 a top priority of his Committee, which was already preoccupied with an active pro-environmental agenda, and I am very grateful for the time and resources he devoted to shepherding this bill through the Senate. This success was due in large part to the efforts of John Pemberton, Christy Plummer, and Ann Klee of the EPW committee staff, who did yeoman's work on this issue, as did Jo-Ellen Darcy of Senator BAUCUS' staff. I want to particularly thank my beach bill partner in the Senate, the senior Senator from New Jersey, FRANK LAUTENBERG, who introduced the companion beach bill and has been working on water quality issues throughout his distinguished career in public service. The people of New Jersey will certainly miss his presence in the Senate, but the legacy he's helped shape with this bill will be a permanent reminder of his leadership. I greatly appreciate Senator LAUTENBERG's willingness to work together with me to craft a bill which will do so much for our own constituents, and for all Americans who enjoy the beach. He and Amy Maron of his staff have done their home state proud.

There has been strong support for this effort from the environmental community since my other New Jersey colleague FRANK PALLONE and I first introduced H.R. 2094 back in the 105th Congress, which paved the way for H.R. 999. The Surfrider Foundation, the Center for Marine Conservation, and the American Oceans Campaign have all been strong partners in this shared effort. I want to particularly thank the Surfrider Foundation, for their willingness to work with me from the very early going, and stick with me, to help accomplish this long-shared public health goal. I have to also thank Chris Gonaver of the San Diego County Department of Environmental Health, for providing critical input on the need to provide for a substantive role for local public health officials in crafting and implementing an effective monitoring and notification program that is tailored to fit a specific region.

This kind of brings it full circle for me, Mr. Speaker. Coming from local government myself, and knowing how important it is to have that perspective and expertise applied to any effective environmental or public health strategy, I think that the path we have blazed with H.R. 999 is critical for the success of our current and future environmental strategies. I can't think of any better result or legacy, than for the outcome and incentive-based approach of this Beach Bill, H.R. 999, to be used as a blueprint for the next generation of environmental strategies.

Thanks again to my colleagues and all the stakeholders who worked so hard with me to make this bold step on behalf of our ocean environment and the public health.

Mr. SHUSTER. Mr. Speaker, I congratulate Representative BILBRAY on this bill, H.R. 999, the Beaches Environmental Assessment and Coastal Health Act of 2000. I also thank Representatives OBERSTAR, BOEHLERT and BORSKI, and Senators SMITH, BAUCUS and LAUTENBURG, for their assistance on this legislation.

H.R. 999 amends the Clean Water Act to establish a grant program for States to monitor the safety of coastal recreation waters, and to set a deadline for updating State water quality standards for these waters to protect the public from disease-carrying organisms.

Each year over 180 million people visit coastal waters for recreational purposes. This activity supports over 28 million jobs and leads to investments of over $50 billion each year in goods and services.

Public confidence in the quality of our nation's waters is important not only to each citizen who swims or surfs, but also to the tourism and recreation industries that rely on safe and swimmable coastal waters.

This is a bipartisan bill that uses incentives, not mandates, to improve public health and safety by monitoring the quality of our Nation's coastal waters.

The House passed this bill on April 22, 1999, by voice vote. The Senate passed the bill, with an amendment, on September 20, 2000, by unanimous consent.

The Senate amendment does not make significant changes to the bill.

Like the House-passed bill, the Senate amendment to H.R. 999 gives EPA no new regulatory authorities and contains no intergovernmental or private-sector mandates.

Like the House-passed bill, the grant program established by H.R. 999, as amended, does not provide EPA with an opportunity to micro-manage State monitoring programs if a State chooses to seek Federal assistance.

Under this legislation, EPA is to establish a level of protection for monitoring programs, which will be used to determine if a program is eligible for a grant. But each individual State program determines how that level of protection is reached.

By providing grants this legislation provides incentives to all States to develop monitoring programs that protect public health and safety. This does not mean uniform monitoring programs. This does not mean that EPA may impose a Federal template on States.

Like the House-passed bill, the Senate amendment to H.R. 999 also does not address control of pollution from point or nonpoint sources. It imposes no new mandates, unfunded or otherwise.

Like the House-passed bill, the Senate amendment clarifies that State water quality criteria for pathogens or pathogen indicators for coastal recreation waters must be as protective of human health as EPA's criteria.

This does not mean that States must adopt criteria that are identical to those that have been published by EPA. States adopt water quality criteria under section 303(c) of the Clean Water Act and continue to have the flexibility, provided under that section to change EPA's criteria based on site-specific conditions, or to adopt different, scientifically-justified criteria.

Thus, if a State can demonstrate that the pathogen indicators that it is using are as protective of human health as the criteria for pathogen indicators that EPA has published, a State may continue to use its existing criteria.

The House-passed bill provided that the information database authorized under section 406(e) is intended to be information on exceedances of water quality standards in coastal recreation waters only. This database does not address other matters. The Senate amendment further specifies that the source of that information is to be from State and local monitoring programs only.

Like the House bill, the Senate amendment provides for EPA implementation of a monitoring and notification program only in situations where a State is not implementing a program that protects public health and safety.

The bill does not provide for partial EPA implementation and partial State implementation of a monitoring and notification program.

In addition, EPA's duty to conduct a monitoring and notification program is subject to the same conditions as a State program. This means that EPA has the same flexibility that States are provided to target available resources to those waters that it determines are the highest priorities.

Finally, like the House-passed bill, the Senate amendment provides that the term ''coastal recreation waters'' includes only the Great Lakes and waters that are adjacent to the coastline of the United States. ''Coastal recreation waters'' is not synonymous with the ''coastal zone'' as defined under the Coastal Zone Management Act. The Senate amendment further clarifies in bill language that geographic scope of this act does not include any inland waters and does not extend beyond the mouth of any river or stream or other body of water having unimpaired natural connection with open sea.

I urge all Members to support H.R. 999, as amended.

Mr. HORN. I thank the gentleman from California, Mr. BILBRAY, for all of his hard work on H.R. 999, the Beaches Environmental Assessment and Coastal Health Act of 2000. I strongly urge that we pass this much needed environmental initiative today.

As a Representative from California, with beautiful beaches stretching along the coastal areas in my district, I have seen first-hand the need to establish national safety standards for monitoring coastal recreation waters. Beachgoers in my district and across the nation are often forced to postpone their recreational plans due to contamination by urban runoff or sewage spills. Swimming along California's shore should not pose a potential health hazard. However, in 1999, Lost Angeles County—including Long Beach—issued advisories or closed beaches 460 times.

H.R. 999 addresses this problem by providing effective mechanisms to ensure that beach water quality is monitored and safe for recreational use. The bill amends the Clean Water Act to establish a grant program for states to monitor coastal recreation waters. It also sets a deadline for updating state water quality standards to protect the public from disease-carrying pathogens. I should also mention that updated water quality standards are not only good for public health, but also for the environment—cleaner waters mean healthier marine animals and protected aquatic habitats.

Each year over 180 million people visit coastal waters for recreational purposes. I believe we owe it to each citizen of our nation to pass this bill and ensure that they can enjoy safe, hazard-free coastal waters. I strongly urge my colleagues to join me in supporting final passage of H.R. 999.

Mr. BORSKI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BOEHLERT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the motion offered by the gentleman from New York (Mr. BOEHLERT) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 999.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BOEHLERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 999.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

EFFIGY MOUNDS NATIONAL MONUMENT ADDITIONS ACT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3745) to authorize the addition of certain parcels to the Effigy Mounds National Monument, Iowa, as amended.

The Clerk read as follows:

H.R. 3745

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Effigy Mounds National Monument Additions Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term ''map'' means the map entitled ''Proposed Boundary Adjustments/Effigy Mounds National Monument'', numbered 394/800 35, and dated May 1999.

(2) MONUMENT.—The term ''Monument'' means the Effigy Mounds National Monument, Iowa.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 3. ADDITIONS TO EFFIGY MOUNDS NATIONAL MONUMENT.

(a) IN GENERAL.—The Secretary may acquire by purchase, from willing sellers only, each of the parcels described in subsection (b).

(b) PARCELS.—The parcels referred to in subsection (a) are the following:

(1) FERGUSON/KISTLER TRACT.—The parcel consisting of approximately 1054 acres of undeveloped, privately-owned land located in portions of secs. 28, 29, 31, 32, and 33, T. 95 N., R. 3 W., Fairview Township, Allamakee County, Iowa, as depicted on the map.

(2) RIVERFRONT TRACT.—The parcel consisting of approximately 50 acres of bottom land located between the Mississippi River and the north unit of the Monument in secs. 27 and 34, Fairview Township, Allamakee County, Iowa, as depicted on the map.

(c) BOUNDARY ADJUSTMENT.—On acquisition of a parcel described in subsection (b), the Secretary shall modify the boundary of the Monument to include the parcel. Any parcel included within the boundary of the Monument pursuant to this subsection shall be administered by the Secretary as part of the Monument.

(d) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in appropriate offices of the National Park Service.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act $750,000.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from Puerto Rico (Mr. ROMERO-BARCELO) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3745, introduced by the gentleman from Iowa (Mr. NUSSLE), authorizes the Secretary of the Interior to purchase two tracts of land from willing sellers for addition into the Effigy Mounds National Monument. The gentleman from Iowa (Mr. NUSSLE) deserves credit for crafting this legislation which protected the rights of property owners while also helping to expand the Effigy Mounds for the public enjoyment.

Mr. Speaker, Effigy Mounds is located in northeastern Iowa along the Mississippi River and borders Wisconsin. Currently, the 1,481-acre Monument protects approximately 200 mound sites built by Eastern Woodland Indians from about 500 BC to 1300 AD. Although prehistoric mounds are common from the Midwest to the Atlantic Seaboard, they seldom are found in an effigy outline of mammals, birds, or reptiles. The 200 mounds, including the 29 effigy mounds, are thought to have served a variety of purposes such as territory markers, burials, or other cultural activities.

H.R. 3745 authorizes the acquisition of two parcels of land from willing sellers in order to expand the boundaries of the existing monument. The Iowa Natural Heritage Foundation has negotiated the purchase of the Ferguson-Kistler Tract which represents the largest of the parcels. This tract also contains two effigy mounds and numerous other historic and prehistoric sites. The State of Iowa owns the second parcel.

Mr. Speaker, an amendment was passed during committee proceedings on this bill which excluded those landowners not wanting to be within the boundaries. The gentleman from Iowa (Mr. NUSSLE) worked hard to make sure these property owners are protected. Now this bill is ready to move forward.

I urge my colleagues to support H.R. 3745, as amended.

Mr. Speaker, I reserve the balance of my time.

Mr. ROMERO-BARCELÓ. Mr. Speaker, I yield myself such time as I may consume.

(Mr. ROMERO-BARCELÓ asked and was given permission to revise and extend his remarks.)

Mr. ROMERO-BARCELÓ. Mr. Speaker, the National Park Service has identified several parcels of land near the existing boundaries of the Effigy Mounds National Monument in Northeastern Iowa that would be valuable additions to the Monument.

H.R. 3745, as introduced by the gentleman from Iowa (Mr. NUSSLE) would have authorized the Secretary to purchase all of these parcels from willing sellers only and to adjust the boundaries of the Monument to include these lands, once they were acquired. As introduced, the bill was identical to legislation sponsored by Senator GRASSLEY.