

monetary thresholds. These monetary thresholds, however, are seriously outdated. They have not been changed—even for inflation—since the legislation was enacted more than two decades ago.

Because these monetary thresholds are obsolete, businesses today often are required to notify the Antitrust Division and the FTC of proposed transactions that simply do not raise competitive issues. As a result, the agencies are required to expend valuable resources performing needless reviews of transactions that were never intended to be reviewed. In short, current law senselessly imposes a costly regulatory and financial burden upon companies, particularly small businesses, and needlessly drains the resources of the agencies. Because of the unnecessarily low monetary thresholds, current law fails to reflect the true economic impact of mergers and acquisitions in today's economy.

In addition, after a pre-merger notification is filed, the Hart-Scott-Rodino Act imposes a 30-day waiting period, during which the proposed transaction may not close and the Antitrust Division or the FTC conducts an antitrust investigation. Prior to the expiration of this waiting period, the agency investigating the transaction may make a "second request"—a demand for additional information or documentary material that is relevant to the proposed transaction. Unfortunately, many second requests require the production of an enormous volume of materials, many of which are unnecessary for even the most comprehensive merger review. Complying with such second requests has become extraordinarily burdensome, often costing companies in excess of \$1 million. Second requests also extend the waiting period for an additional 20 days, a period of time that does not begin to run until the agencies have determined that the transacting companies have "substantially complied" with the second request. This procedure results in many lawful transactions being unnecessarily delayed for extended periods of time, causing an enormous strain on the businesses, their employees, and their shareholders.

I am pleased that this legislation will rectify many of the problems with the 1976 Hart-Scott-Rodino Act. First, the legislation increases the size-of-transaction threshold from \$15 million to \$50 million, effectively exempting mergers and acquisitions that would not pose any competitive concerns from the Act's notification requirement. Such mergers make up over half of all transactions reported in 1999. Therefore, this legislation provides significant regulatory and financial relief for all businesses, particularly small and medium-sized ones. In addition, the legislation indexes the threshold for inflation, so that the problem of an expanding economy outgrowing the statute's monetary threshold will not recur.

In addition to providing regulatory and financial relief for companies, an-

other purpose of this legislation is to ensure that the Antitrust Division and the FTC efficiently allocate their finite resources to those transactions that truly warrant antitrust scrutiny. To that end, one of its main objectives is to achieve a more effective and efficient merger review process by eliminating unnecessary burden, costly duplication and undue delay. In order to accomplish this objective, this legislation directs the Assistant Attorney General and the FTC to conduct an internal review and implement reforms of the merger review process, including the designation of a senior official for expedited review of appeals regarding the scope of and compliance with second requests. Fortunately, these reforms will be implemented quickly because, under this legislation, the Assistant Attorney General and the FTC will have 120 days to issue the guidelines and make the necessary changes to their regulations and policy documents to implement the reforms, and they must report back to Congress within 180 days.

This legislation sets forth reforms to the Hart-Scott-Rodino Act that are long overdue. It provides significant regulatory and financial relief for businesses, while ensuring that transactions that truly deserve antitrust scrutiny will continue to undergo review. Again, I thank my colleagues who joined me in supporting passage of this legislation. In the waning hours of this Congressional Session, it is my intention to see this non-controversial consensus legislation enacted into law this year, and I will seek its attachment to one of the remaining "must-pass" vehicles.

Finally, I would like to recognize the hard work and efforts of several staff members of the Judiciary Committee who were instrumental in the successful passage of this legislation. On my staff, I particularly would like to thank the Committee's Chief Counsel and Staff Director, Manus Cooney, the lead counsels who worked on this measure, Makan Delrahim, Rene Augustine, and Kyle Sampson, and legal fellow Thadd Prisco. On Senator LEAHY's staff, I would like to recognize the professional skills and input of the Minority Chief Counsel, Bruce Cohen, and the Minority General Counsel, Beryl Howell. On the Antitrust Subcommittee, I would like to thank Peter Levitas and Mark Grundvig, who are Senator DEWINE's able counsels, as well as Jon Leibowitz and Seth Bloom, counsels to Senator KOHL, for their tireless efforts and input. Without the assistance and hard work of these loyal public servants, the important reforms in this legislation would not have been possible. Thank you.

THE BULLETPROOF VEST
PARTNERSHIP GRANT ACT OF 2000

Mr. LEAHY. I am pleased that the House of Representatives tonight approved the Bulletproof Vest Partner-

ship Grant Act of 2000, S. 2413, and sent it to the president for his signature. President Clinton has already endorsed this legislation to support our nation's law enforcement officers and is eager to sign it into law.

Senator CAMPBELL and I introduced this bipartisan bill on April 12, 2000. The Senate Judiciary Committee passed our bill unanimously on June 29. For the past four months, we have been urging passage of the Bulletproof Vest Partnership Grant Act of 2000. The Senate finally passed our bipartisan bill on October 11, 2000 by unanimous consent.

I want to thank Senators HATCH, SCHUMER, KOHL, THURMOND, REED, JEFFORDS, ROBB, REID, SARBANES, BINGAMAN, ASHCROFT, EDWARDS, BUNNING, CLELAND, HUTCHISON, ABRAHAM and GRAMS for cosponsoring and supporting our bipartisan bill.

To better protect our Nation's law enforcement officers, Senator CAMPBELL and I introduced the Bulletproof Vest Partnership Grant Act of 1998. President Clinton signed our legislation into law on June 16, 1998, public law 105-181. That law created a \$25 million, 50 percent matching grant program within the Department of Justice to help state and local law enforcement agencies purchase body armor for fiscal years 1999-2001.

According to the Federal Bureau of Investigation, more than 40 percent of the 1,182 officers killed by a firearm in the line of duty since 1980 could have been saved if they had been wearing body armor. Indeed, the FBI estimates that the risk of fatality to officers while not wearing body armor is 14 times higher than for officers wearing it.

In its two years of operation, the Bulletproof Vest Partnership Grant Program funded more than 325,000 new bulletproof vests for our nation's police officers, including more than 536 vests for Vermont police officers with federal grant funds of \$140,253 for Vermont law enforcement agencies. More information about the Bulletproof Vest Partnership Grant Program is available at the program's web site at <http://vests.ojp.gov/>. The entire process of submitting applications and obtaining federal funds is completed through this web site.

The Bulletproof Vest Partnership Grant Act of 2000 builds on the success of this program by doubling its annual funding to \$50 million for fiscal years 2002-2004. It also improves the program by guaranteeing jurisdictions with fewer than 100,000 residents receive the full 50-50 matching funds because of the tight budgets of these smaller communities. In addition, under the Leahy-Campbell floor amendment to this bill, the purchase of stab-proof vests will be eligible for grant awards to protect corrections officers and sheriffs who face violent criminals in close quarters in local and county jails.

More than ever before, police officers in Vermont and around the country

face deadly threats that can strike at any time, even during routine traffic stops. Bulletproof vests save lives. It is essential that we update this law so that many more of our officers who are risking their lives everyday are able to protect themselves.

In the last Congress, we created the Bulletproof Vest Partnership Grant Program in part in response to the tragic Drega incident along the Vermont and New Hampshire border. On August 19, 1997, Federal, State and local law enforcement authorities in Vermont and New Hampshire had cornered Carl Drega, after hours of hot pursuit. This madman had just shot to death two New Hampshire state troopers and two other victims earlier in the day. In a massive exchange of gunfire with the authorities, Drega lost his life.

During that shootout, all federal law enforcement officers wore bulletproof vests, while some state and local officers did not. For example, Federal Border Patrol Officer John Pfeifer, a Vermonter, who was seriously wounded in the incident. If it was not for his bulletproof vest, I would have been attending Officer Pfeifer's wake instead of visiting him, and meeting his wife and young daughter in the hospital a few days later. I am relieved that Officer John Pfeifer is doing well and is back on duty today.

The two New Hampshire state troopers who were killed by Carl Drega were not so lucky. They were not wearing bulletproof vests. Protective vests might not have been able to save the lives of those courageous officers because of the high-powered assault weapons used by this madman. We all grieve for the two New Hampshire officers who were killed. Their tragedy underscores the point that all of our law enforcement officers, whether federal, state or local, deserve the protection of a bulletproof vest. With that and lesser-known incidents as constant reminders, I will continue to do all I can to help prevent loss of life among our law enforcement officers.

The Bulletproof Vest Partnership Grant Act of 2000 will provide state and local law enforcement agencies with more of the assistance they need to protect their officers. Our bipartisan legislation enjoys the endorsement of many law enforcement organizations, including the Fraternal Order of Police and the National Sheriffs' Association. In my home State of Vermont, the bill enjoys the strong support of the Vermont State Police, the Vermont Police Chiefs Association and many Vermont sheriffs, troopers, game wardens and other local and state law enforcement officials.

Since my time as a State prosecutor, I have always taken a keen interest in law enforcement in Vermont and around the country. Vermont has the reputation of being one of the safest states in which to live, work and visit, and rightly so. In no small part, this is due to the hard work of those who have

sworn to serve and protect us. And we should do what we can to protect them, when a need like this one comes to our attention.

Our Nation's law enforcement officers put their lives at risk in the line of duty everyday. No one knows when danger will appear. Unfortunately, in today's violent world, even a traffic stop may not necessarily be "routine." Each and every law enforcement officer across the nation deserves the protection of a bulletproof vest.

Mr. President, I look forward to President Clinton signing this life-saving legislation into law.

FAILURE TO PASS AN INTERSTATE WASTE BILL

Mr. ROBB. Mr. President, one of the many items that the Senate failed to address during this Congress is legislation that would allow the states to protect themselves from unwanted out-of-state garbage. Three separate bills were offered in the Senate on this issue and each had merit, at least as a point of departure. In fact two of the bills incorporated elements that easily passed the Senate a few years ago.

The Environment and Public Works Committee held a hearing on these bills but failed to move any of the bills forward. This is more than disappointing. For a state like Virginia that is now importing over 7 million tons of municipal solid waste each year, with no way to limit the growth of this unwanted import, it is important that the committee and the full Senate act on legislation.

Seven million tons of imported solid waste represents 280,000 truck loads of waste moving into the Commonwealth of Virginia each year. The traffic this generates is reason alone to authorize additional state controls. But there are other reasons. Cheap landfill disposal due to an over abundance of capacity, has made us less vigilant about recycling. And although new federal landfill standards protect our environment better than the old standards, today's landfills are much larger than yesterdays, and we are not yet certain that all the engineering improvements we have made are enough. We may not know if these new landfills leak for a few more years.

Transporting waste hundreds of miles for disposal is also a senseless use of diesel fuel, and when we are already facing a shortage we should seek to conserve our fuel resources. We are misallocating fuel that could be used to heat homes this winter and using it to haul trash up and down the east coast. I understand from the Federal Highway Administration that the large trucks used to transport waste get about 6.1 miles per gallon. An out of state delivery of trash to Virginia landfills can amount to 680 miles round trip and 68 gallons of gas. If only half the trips to Virginia are that long, over 500,000 gallons of diesel fuel will be used to ship waste several hundred miles. This is a waste.

During this Congress, I introduced one interstate waste bill and co-sponsored two others, and if members of the Senate propose other ways to deal with this problem, I am more than willing to work with them to develop something that is workable for all parties. But at this time unless a state chooses, as some have, to simply stop siting land disposal capacity, they lose all control in terms of how long that capacity will last and what kind of traffic it will receive.

When we come back next year I will try again to move legislation. I will meet with the exporting States and I will continue to work toward a goal of wiser use of our resources, and that includes recycling, minimizing waste in the first place and certainly finding a way to dispose of it without moving half way across the country.

INTERSTATE TRANSPORTATION OF SOLID WASTE

Mr. LEVIN. Mr. President, it is outrageous that another Congress has passed without the enactment of legislation which would resolve the problem of the interstate transportation of solid waste. The people should not be dumped on any longer. They should have some control over their own jurisdictions and over their own land. It is up to us to give them that authority. I just heard that Toronto Canada is thinking about sending its waste to Michigan and the people of Michigan have nothing to say about it.

The U.S. Supreme Court has ruled that, under the Commerce Clause of the Constitution, unless Congress acts, states and municipalities are powerless to stop trash from being brought into their jurisdictions—powerless to protect their citizens' safety, the environment and their quality of life. So our states and municipalities rely on us to pass this protective legislation, and we let them down—again. The Senate has expressed its will on this issue over and over again—A majority of Senators support this legislation. We passed it by an overwhelming vote of 94-6. But the House has not acted. There are a few people over there who oppose it who have managed to displace the will of what appears to be a clear majority of House Members.

What will it take? The problem is getting worse. Total interstate waste shipments continue to rise and there is a finite amount of landfill capacity available. Michigan, my State, imports over 12 percent of all of the solid waste it disposes of in landfills. Michigan counties and townships have plans for waste disposal. They have invested in it. They have made significant commitments to waste reduction and recycling. They have spent a lot of money on these investments to dispose of their waste locally. Those plans and those good faith investments are totally undermined when contracts to bring in waste from other states and countries are entered into without consideration by State, county, or local