

17 should only require the NSF report to Congress on information it obtains from State and INS. This section should not require the NSF Director to commission a duplicative study to secure information already held by State and INS.

I have discussed these issues with Chairman BOEHLERT and we are in agreement in our interpretation of these provisions and the process.

Mr. Speaker, the key to ensuring information security for the long-term is to establish a vigorous, creative and sustained basic research effort focused on the security of networked information systems. H.R. 3394 will make a major contribution toward accomplishing this goal. I commend this measure to my colleagues and ask for their support for its final passage by the House.

Mr. EHLERS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). 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. 3394.

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.

GREAT LAKES AND LAKE CHAMPLAIN ACT OF 2002

Mr. DUNCAN. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 1070) to amend the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to carry out projects and conduct research for remediation of sediment contamination in areas of concern in the Great Lakes, and for other purposes.

The Clerk read as follows:

Senate amendments:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Great Lakes and Lake Champlain Act of 2002”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—GREAT LAKES

Sec. 101. Short title.

Sec. 102. Report on remedial action plans.

Sec. 103. Remediation of sediment contamination in areas of concern in the Great Lakes.

Sec. 104. Relationship to Federal and State authorities.

Sec. 105. Authorization of appropriations.

Sec. 106. Research and development program.

TITLE II—LAKE CHAMPLAIN

Sec. 201. Short title.

Sec. 202. Lake Champlain Basin Program.

TITLE III—MISCELLANEOUS

Sec. 301. Phase II storm water program.

Sec. 302. Preservation of reporting requirements.

Sec. 303. Repeal.

Sec. 304. Cross Harbor Freight Movement Project EIS, New York City.

Sec. 305. Center for Brownfields Excellence.

Sec. 306. Louisiana Highway 1026 Project, Louisiana.

TITLE I—GREAT LAKES

SEC. 101. SHORT TITLE.

This title may be cited as the “Great Lakes Legacy Act of 2002”.

SEC. 102. REPORT ON REMEDIAL ACTION PLANS.

Section 118(c)(3) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)(3)) is amended by adding at the end the following:

“(E) REPORT.—Not later than 1 year after the date of enactment of this subparagraph, the Administrator shall submit to Congress a report on such actions, time periods, and resources as are necessary to fulfill the duties of the Agency relating to oversight of Remedial Action Plans under—

“(i) this paragraph; and

“(ii) the Great Lakes Water Quality Agreement.”.

SEC. 103. REMEDIATION OF SEDIMENT CONTAMINATION IN AREAS OF CONCERN IN THE GREAT LAKES.

Section 118(c) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)) is amended by adding at the end the following:

“(12) REMEDIATION OF SEDIMENT CONTAMINATION IN AREAS OF CONCERN.—

“(A) IN GENERAL.—In accordance with this paragraph, the Administrator, acting through the Program Office, may carry out projects that meet the requirements of subparagraph (B).

“(B) ELIGIBLE PROJECTS.—A project meets the requirements of this subparagraph if the project is to be carried out in an area of concern located wholly or partially in the United States and the project—

“(i) monitors or evaluates contaminated sediment;

“(ii) subject to subparagraph (D), implements a plan to remediate contaminated sediment; or

“(iii) prevents further or renewed contamination of sediment.

“(C) PRIORITY.—In selecting projects to carry out under this paragraph, the Administrator shall give priority to a project that—

“(i) constitutes remedial action for contaminated sediment;

“(ii)(I) has been identified in a Remedial Action Plan submitted under paragraph (3); and

“(II) is ready to be implemented;

“(iii) will use an innovative approach, technology, or technique that may provide greater environmental benefits, or equivalent environmental benefits at a reduced cost; or

“(iv) includes remediation to be commenced not later than 1 year after the date of receipt of funds for the project.

“(D) LIMITATION.—The Administrator may not carry out a project under this paragraph for remediation of contaminated sediments located in an area of concern—

“(i) if an evaluation of remedial alternatives for the area of concern has not been conducted, including a review of the short-term and long-term effects of the alternatives on human health and the environment; or

“(ii) if the Administrator determines that the area of concern is likely to suffer significant further or renewed contamination from existing sources of pollutants causing sediment contamination following completion of the project.

“(E) NON-FEDERAL SHARE.—

“(i) IN GENERAL.—The non-Federal share of the cost of a project carried out under this paragraph shall be at least 35 percent.

“(ii) IN-KIND CONTRIBUTIONS.—The non-Federal share of the cost of a project carried out under this paragraph may include the value of in-kind services contributed by a non-Federal sponsor.

“(iii) NON-FEDERAL SHARE.—The non-Federal share of the cost of a project carried out under this paragraph—

“(I) may include monies paid pursuant to, or the value of any in-kind service performed

under, and administrative order on consent or judicial consent decree; but

“(II) may not include any funds paid pursuant to, or the value of any in-kind service performed under, a unilateral administrative order or court order.

“(iv) OPERATION AND MAINTENANCE.—The non-Federal share of the cost of the operation and maintenance of a project carried out under this paragraph shall be 100 percent.

“(F) MAINTENANCE OF EFFORT.—The Administrator may not carry out a project under this paragraph unless the non-Federal sponsor enters into such agreements with the Administrator as the Administrator may require to ensure that the non-Federal sponsor will maintain its aggregate expenditures from all other sources for remediation programs in the area of concern in which the project is located at or above the average level of such expenditures in the 2 fiscal years preceding the date on which the project is initiated.

“(G) COORDINATION.—In carrying out projects under this paragraph, the Administrator shall coordinate with the Secretary of the Army, and with the Governors of States in which the projects are located, to ensure that Federal and State assistance for remediation in areas of concern is used as efficiently as practicable.

“(H) AUTHORIZATION OF APPROPRIATIONS.—

“(i) IN GENERAL.—In addition to other amounts authorized under this section, there is authorized to be appropriated to carry out this paragraph \$50,000,000 for each of fiscal years 2004 through 2008.

“(ii) AVAILABILITY.—Funds made available under clause (i) shall remain available until expended.

“(13) PUBLIC INFORMATION PROGRAM.—

“(A) IN GENERAL.—The Administrator, acting through the Program Office and in coordination with States, Indian tribes, local governments, and other entities, may carry out a public information program to provide information relating to the remediation of contaminated sediment to the public in areas of concern that are located wholly or partially in the United States.

“(B) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph \$1,000,000 for each of fiscal years 2004 through 2008.”.

SEC. 104. RELATIONSHIP TO FEDERAL AND STATE AUTHORITIES.

Section 118(g) of the Federal Water Pollution Control Act (33 U.S.C. 1268(g)) is amended—

(1) by striking “construed to affect” and inserting the following: “construed—

“(1) to affect”;

(2) by striking the period at the end and inserting “or”; and

(3) by adding at the end the following:

“(2) to affect any other Federal or State authority that is being used or may be used to facilitate the cleanup and protection of the Great Lakes.”.

SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

Section 118(h) of the Federal Water Pollution Control Act (33 U.S.C. 1268(h)) is amended—

(1) by striking the second sentence; and

(2) in the first sentence—

(A) by striking “not to exceed \$11,000,000” and inserting “not to exceed—

“(1) \$11,000,000”;

(B) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(2) such sums as are necessary for each of fiscal years 1992 through 2003; and

“(3) \$25,000,000 for each of fiscal years 2004 through 2008.”.

SEC. 106. RESEARCH AND DEVELOPMENT PROGRAM.

(a) IN GENERAL.—In coordination with other Federal, State, and local officials, the Administrator of the Environmental Protection Agency may conduct research on the development and use of innovative approaches, technologies, and

techniques for the remediation of sediment contamination in areas of concern that are located wholly or partially in the United States.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—In addition to amounts authorized under other laws, there is authorized to be appropriated to carry out this section \$3,000,000 for each of fiscal years 2004 through 2008.

(2) **AVAILABILITY.**—Funds appropriated under paragraph (1) shall remain available until expended.

TITLE II—LAKE CHAMPLAIN

SEC. 201. SHORT TITLE.

This title may be cited as the “Daniel Patrick Moynihan Lake Champlain Basin Program Act of 2002”.

SEC. 202. LAKE CHAMPLAIN BASIN PROGRAM.

Section 120 of the Federal Water Pollution Control Act (33 U.S.C. 1270) is amended—

(1) by striking the section heading and all that follows through “There is established” in subsection (a) and inserting the following:

“SEC. 120. LAKE CHAMPLAIN BASIN PROGRAM.

“(a) **ESTABLISHMENT.**—

“(1) **IN GENERAL.**—There is established”;

(2) in subsection (a) (as amended by paragraph (1)), by adding at the end the following:

“(2) **IMPLEMENTATION.**—The Administrator—

“(A) may provide support to the State of Vermont, the State of New York, and the New England Interstate Water Pollution Control Commission for the implementation of the Lake Champlain Basin Program; and

“(B) shall coordinate actions of the Environmental Protection Agency under subparagraph (A) with the actions of other appropriate Federal agencies.”;

(3) in subsection (d), by striking “(1)”;

(4) in subsection (e)—

(A) in paragraph (1), by striking “(hereafter in this section referred to as the ‘Plan’)”; and

(B) in paragraph (2)—

(i) in subparagraph (D), by striking “and” at the end;

(ii) in subparagraph (E), by striking the period at the end and inserting “; and”;

(iii) by adding at the end the following:

“(F) be reviewed and revised, as necessary, at least once every 5 years, in consultation with the Administrator and other appropriate Federal agencies.”;

(5) in subsection (f)—

(A) in paragraph (1), by striking “the Management Conference,” and inserting “participants in the Lake Champlain Basin Program,”; and

(B) in paragraph (2), by striking “development of the Plan” and all that follows and inserting “development and implementation of the Plan.”;

(6) in subsection (g)—

(A) by striking “(g)” and all that follows through “the term” and inserting the following:

“(g) **DEFINITIONS.**—In this section:

“(1) **LAKE CHAMPLAIN BASIN PROGRAM.**—The term ‘Lake Champlain Basin Program’ means the coordinated efforts among the Federal Government, State governments, and local governments to implement the Plan.

“(2) **LAKE CHAMPLAIN DRAINAGE BASIN.**—The term”;

(B) in paragraph (2) (as designated by subparagraph (A))—

(i) by inserting “Hamilton,” after “Franklin,”; and

(ii) by inserting “Bennington,” after “Rutland,”; and

(C) by adding at the end the following:

“(3) **PLAN.**—The term ‘Plan’ means the plan developed under subsection (e).”;

(7) by striking subsection (h) and inserting the following:

“(h) **NO EFFECT ON CERTAIN AUTHORITY.**—Nothing in this section—

“(1) affects the jurisdiction or powers of—

“(A) any department or agency of the Federal Government or any State government; or

“(B) any international organization or entity related to Lake Champlain created by treaty or memorandum to which the United States is a signatory;

“(2) provides new regulatory authority for the Environmental Protection Agency; or

“(3) affects section 304 of the Great Lakes Critical Programs Act of 1990 (Public Law 101-596; 33 U.S.C. 1270 note).”;

(8) in subsection (i)—

(A) by striking “section \$2,000,000” and inserting “section—

“(1) \$2,000,000”;

(B) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(2) such sums as are necessary for each of fiscal years 1996 through 2003; and

“(3) \$11,000,000 for each of fiscal years 2004 through 2008.”.

TITLE III—MISCELLANEOUS

SEC. 301. PHASE II STORM WATER PROGRAM.

Notwithstanding any other provision of law, for fiscal year 2003, funds made available to a State to carry out nonpoint source management programs under section 319 of the Federal Water Pollution Control Act (33 U.S.C. 1329) may, at the option of the State, be used to carry out projects and activities in the State relating to the development or implementation of phase II of the storm water program of the Environmental Protection Agency established by the rule entitled “National Pollutant Discharge Elimination System—Regulations for Revision of the Water Pollution Control Program Addressing Storm Water Discharges”, promulgated by the Administrator of the Environmental Protection Agency on December 8, 1999 (64 Fed. Reg. 68722).

SECTION 302. PRESERVATION OF REPORTING REQUIREMENTS.

(a) **IN GENERAL.**—Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note; Public Law 104-66) does not apply to any report required to be submitted under any of the following provisions of law:

(1) **EFFECTS OF POLLUTION ON ESTUARIES OF THE UNITED STATES.**—Section 104(n)(3) of the Federal Water Pollution Control Act (33 U.S.C. 1254(n)(3)).

(2) **IMPLEMENTATION OF GREAT LAKES WATER QUALITY AGREEMENT OF 1978.**—Section 118(c)(10) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)(10)).

(3) **COMPREHENSIVE CONSERVATION AND MANAGEMENT PLAN FOR LONG ISLAND SOUND.**—Section 119(c)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1269(c)(7)).

(4) **LEVEL B PLAN ON ALL RIVER BASINS.**—Section 209(b) of the Federal Water Pollution Control Act (33 U.S.C. 1289(b)).

(5) **STATE REPORTS ON WATER QUALITY OF ALL NAVIGABLE WATERS.**—Section 305(b) of the Federal Water Pollution Control Act (33 U.S.C. 1315(b)).

(6) **EXEMPTIONS FROM WATER POLLUTION CONTROL REQUIREMENTS FOR EXECUTIVE AGENCIES.**—Section 313(a) of the Federal Water Pollution Control Act (33 U.S.C. 1323(a)).

(7) **STATUS OF WATER QUALITY IN UNITED STATES LAKES.**—Section 314(a) of the Federal Water Pollution Control Act (33 U.S.C. 1324(a)).

(8) **NATIONAL ESTUARY PROGRAM ACTIVITIES.**—Section 320(j)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1330(j)(2)).

(9) **REPORTS ON CONTRACTS ENTERED INTO RELATING TO PROCUREMENT FROM VIOLATORS OF WATER QUALITY STANDARDS.**—Section 508(e) of the Federal Water Pollution Control Act (33 U.S.C. 1368(e)).

(10) **NATIONAL REQUIREMENTS AND COSTS OF WATER POLLUTION CONTROL.**—Section 516 of the Federal Water Pollution Control Act (33 U.S.C. 1375).

(b) **OTHER REPORTS.**—

(1) **IN GENERAL.**—Effective November 10, 1998, section 501 of the Federal Reports Elimination

Act of 1998 (Public Law 105-362; 112 Stat. 3283) is amended by striking subsections (a), (b), (c), and (d).

(2) **APPLICABILITY.**—The Federal Water Pollution Control Act (33 U.S.C. 1254(n)(3)) shall be applied and administered on and after the date of enactment of this Act as if the amendments made by subsections (a), (b), (c), and (d) of section 501 of the Federal Reports Elimination Act of 1998 (Public Law 105-362; 112 Stat. 3283) had not enacted.

SEC. 303. REPEAL.

Title VII of Public Law 105-78 (20 U.S.C. 50 note; 111 Stat. 1524) (other than section 702) is repealed.

SEC. 304. CROSS HARBOR FREIGHT MOVEMENT PROJECT EIS, NEW YORK CITY.

Section 1602 of the Transportation Equity Act for the 21st Century (112 Stat. 305) is amended in item number 1320 of the table by striking “Reconstruct 79th Street Traffic Circle, New York City” and inserting “Cross Harbor Freight Movement Project EIS, New York City”.

SEC. 305. CENTER FOR BROWNFIELDS EXCELLENCE.

“(a) **IN GENERAL.**—To demonstrate the transfer of technology and expertise from the Federal Government to the private sector, and to demonstrate the effectiveness of the reuse by the private sector of properties and assets that the Federal Government has determined, through applicable statutes and processes, that it no longer needs, the Administrator of the Environmental Protection Agency shall make a grant to not less than one eligible sponsor to establish and operate a center for Brownfields Excellence.

“(b) **RESPONSIBILITIES OF CENTER.**—The responsibilities of a center established under this section shall include the transfer of technology and expertise in the redevelopment of abandoned or underutilized property that may have environmental contamination and the dissemination of information regarding successful models for such redevelopment.

“(c) **PRIORITY.**—In carrying out this section, the Administrator shall give priority consideration to a grant application submitted by an eligible sponsor that meets the following criteria:

(1) Demonstrated ability to facilitate the return of property that may have environmental contamination to productive use.

(2) Demonstrated ability to facilitate public-private partnerships and regional cooperation.

(3) Capability to provide leadership in making both national and regional contributions to addressing the problem of underutilized or abandoned properties.

(4) Demonstrated ability to work with Federal departments and agencies to facilitate reuse by the private sector of properties and assets no longer needed by the Federal Government.

“(d) **ELIGIBLE SPONSOR DEFINED.**—In this section, the term “eligible sponsor” means a regional nonprofit community redevelopment organization assisting an area that—

(1) has jobs due to the closure of a private sector of Federal installation; and

(2) as a result, has an underemployed workforce and underutilized or abandoned properties.

“(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$1,000,000.

SEC. 306. LOUISIANA HIGHWAY 1026 PROJECT, LOUISIANA.

Section 1602 of the Transportation Equity Act for the 21st Century (112 Stat. 272) is amended in item number 426 of the table by striking “Louisiana Highway 16” and inserting the following: “Louisiana Highway 1026”.]

Amend the title so as to read: “An Act to amend the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to provide assistance for remediation of sediment contamination in areas of concern, to authorize

assistance for research and development of innovative technologies for such remediation, and to amend the Federal Water Pollution Control Act and the Water Resources Development Act of 2000 to modify provisions relating to the Lake Champlain basin, and for other purposes.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN).

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

Mr. Speaker, I rise to urge all Members to concur in the Senate amendment to H.R. 1070, the Great Lakes Legacy Act of 2002. On September 4 of this year, the House passed H.R. 1070 by voice vote. On October 17, the Senate passed this bill, with an amendment, by unanimous consent.

Title I of the Senate amendment is the House-passed version of the Great Lakes Legacy Act of 2002 with a few minor and technical changes. Industrialization over the past 200 years has contaminated sediments in the Great Lakes. This sediment contamination can limit some uses of the lakes, particularly fishing, when contaminants get into the food chain. As a result, many of the Great Lakes are under advisories warning people not to eat the fish that they catch. Unfortunately, 200 years of contamination is difficult to reverse and sediment cleanups can be very controversial. Little progress has thus been made.

The Great Lakes Legacy Act will help overcome the obstacles to cleanup by encouraging voluntary, consensus-based cleanup actions that will be carried out by the EPA in partnership with non-Federal sponsors. The Great Lakes Legacy Act also will help reduce the controversy surrounding sediment cleanups by ensuring that any cleanup actions funded by this legislation will truly benefit human health and the environment. As noted in the report of the Committee on Transportation and Infrastructure accompanying H.R. 1070, projects should be selected in accordance with a risk management strategy. In addition, the legislation requires the EPA to make sure that the short- and long-term effects of remedial alternatives have been evaluated before selecting a cleanup project. This requirement will help give the public confidence that a cleanup action will not cause more harm than good. For example, if a cleanup alternative involves dredging, we can be confident that the EPA has considered whether dredging at that site will stir up contaminants, causing more harm than good to human health and the environment.

I want to commend the gentleman from Michigan (Mr. EHLERS) and his colleagues for working with various stakeholders from the Great Lakes. They have reached a great compromise on this that has kept everyone happy and thus has been able to advance this consensus approach to Great Lakes remediation.

Title II of the Senate amendment authorizes assistance to State and local governments to improve the quality of Lake Champlain. Lack Champlain is not one of the Great Lakes and is not eligible for assistance under title I of H.R. 1070. Current law authorizes the EPA to help State and local governments develop a plan for the restoration of Lake Champlain. Title II of H.R. 1070 expands this existing authority to allow the EPA to also provide assistance to implement projects recommended under the plan.

□ 1500

Nothing in this title provides any assistance for the regulatory activities of any agency or provides any new regulatory authority for the EPA. We expect the Lake Champlain Basin Program to be a model of community-based environmental restoration, giving local governments and other local entities the maximum input into the projects and activities that are carried out with assistance provided under this legislation.

Finally, title III of the Senate amendment includes miscellaneous provisions, including language that will reinstate several important Clean Water Act reports that help Congress oversee this program.

This is very important legislation, affecting one of the greatest and largest bodies of freshwater in this world, and I urge all Members to support the Senate amendment.

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

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

I rise in support of H.R. 1070, the Great Lakes and Lake Champlain Act of 2002, and I acknowledge with great gratitude the splendid leadership of the gentleman from Tennessee (Mr. DUNCAN), the subcommittee chairman, who is always judicious, thoughtful, considerate, supportive, has a grasp of the issues, and proceeds with great confidence and vigor in pursuing the committee's work. I also want to acknowledge the splendid and persistent initiative of the gentleman from Michigan (Mr. EHLERS), who always brings his scientific bent to the work of the committee and particularly the work of the Subcommittee on Water Resources and Environment, and for whose great commitment to cleaning up the waters of the Great Lakes and keeping them clean I have sincere admiration and appreciation.

As the gentleman from Tennessee (Mr. DUNCAN) already indicated, we have worked out relatively minor differences that existed between the House version and the version of the other body, and our approval today clears the bill for the President.

I grew up in the watershed of the Great Lakes, not along the shores of Lake Superior but along the waters that drain into Lake Superior, and much of my service in the Congress has been concerned with both my work as a

staff director for my predecessor and staff director of the then Committee on Public Works and Transportation, and as a member, I have made protecting this extraordinary resource of freshwater one of my very top priorities and commitments.

We have to remember that the Great Lakes, all five of them, represent one-fifth of all the available freshwater on the face of the Earth. We do not count the frozen freshwater at the poles. And the magnitude of Lake Superior is such that the bottom 125 feet of Lake Superior are 125 feet below sea level. That is an immense body of water. It turns over once in 500 years. Whatever we put into that lake is going to be there for a long time. We have to be careful, extremely careful, not only about what directly goes into Lake Superior because it then goes into all the other lakes but Lake Michigan, because the effect will be so persistent and so long lasting.

We also have to be careful about what comes in from the air. Air depositions into Lake Superior come from as far away as Central America. DDT can be found on the shores of Lake Superior and other Great Lakes carried by the upper atmospheric winds, as can Toxaphene, which is used as an agent to suppress the boll weevils in cotton country, and that atmospheric deposition has been found in a lake on Isle Royale above the level of the waters of Lake Superior.

I mentioned these because the persistent toxic substances that are found in the Great Lakes, both in the bottom sediments, in the plants, taken up by the benthic organisms, eaten by the fish, then consumed by people, those toxic substances move up the food chain, and it is simply a tragedy that 100 percent of the near shore waters of the Great Lakes and their connecting tributaries are under fish consumption advisories for PCBs, dioxins, mercury. Studies continue to show, as they did years ago when I chaired the Subcommittee on Investigations and Oversight and held hearings on the U.S.-Canada Great Lakes Water Quality Agreement and the Great Lakes Water Quality Act, that if one lives anywhere in America, one probably has five parts per billion PCBs in their body, but if one lives within 20 miles of one of the Great Lakes and eat fish once a week, they most likely have 440 parts per billion PCBs in their body. That is 20 times the average outside of the Great Lakes.

Dr. Waylon Swain, researcher at the University of Michigan, the home State of the gentleman from Michigan (Mr. EHLERS), testified at hearings that I held reporting on tests he conducted on his 16-year-old daughter. He analyzed her fatty tissue, calculated the level of PCBs, and then did a computer projection on her progeny to determine how long it would take just for natural processes without further introduction of PCBs into the food chain of that daughter and her offspring. It would

take six generations for the PCBs to disappear from the bloodline. That is such a sobering thought that as we go about taking action on this legislation, this should not be considered just another bill that we pass. This is legislation we are passing that fully applied, vigorously enforced, vigorously carried out, will vastly improve quality of life for future generations.

Twenty years ago we, the U.S. and Canada, identified 43 areas of concern in the Great Lakes. Thirty-one of those are wholly or mostly in U.S. waters. And even though we have removed 1,300,000 cubic yards of bottom sediment, mostly from the harbors, those are mostly harbors, and have remediated that sedimentation, the challenge is still there. The challenge is huge. We have not resolved the problem yet. And there are 36 million people living along the waters of the Great Lakes and in the watershed; therefore, far more responsibility on us to be more careful with these waters and with the bottom sediments.

I was very encouraged when then President Clinton included in his budget request \$50 million for remediation of contaminated sediments, and I introduced legislation to authorize a program to vigorously advance the remediation. Unfortunately the 50 million did not get appropriated, the bill did not pass. What we have today is an advanced version of that legislation for which again I am very appreciative of the gentlemen from Michigan and of Tennessee. We do in this legislation provide that \$50 million annual authorization for EPA to carry out projects to address sediment contamination. Priority will go to projects that actively address contaminated sediments that have been identified in the remedial action plans for those areas of concern and for innovative approaches, technologies, and techniques for dealing with contaminated sediments. I have been very keenly interested in one that has been used on the bottom sediments in the Duluth harbor using mining technique in nonmagnetic ore beneficiation. A process is used called media flotation where the nonferrous material settles out and the lesser material is carried off, they can do this work for on the order of a dollar to \$2 a cubic yard. Early prices on remediation of bottom sediments in the Great Lakes centered around \$400 to \$600 a cubic yard. I thought if we could bring mining and environmental technology together, we could make an advance and in fact did. It is not the dollar or \$2 a cubic yard but \$30 or \$40 which is still a factor of 10 less than early estimates. We have now succeeded in cleaning up large volumes of toxic substance-containing sediment, and this cleaned material is now being used for parkland and for beach nourishment and is being used in reclaiming areas along the waterfront in Duluth for other activities that are in fact environmentally friendly.

I expect this project to continue with great success as more is learned about

the mechanics of separating toxic substances out from bottom sediments, and I have no doubt that the legislation before us will move vigorously in the direction that we appointed with this bill and that EPA should have no reticence whatever in moving ahead so long as we provide the appropriation to follow up on the funding authority.

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

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

I had the privilege of chairing the Subcommittee on Aviation for 6 years under the gentleman from Pennsylvania (Mr. SHUSTER) and now the Subcommittee on Water Resources and Environment for 2 years under the gentleman from Alaska (Mr. YOUNG). Both have been great, great leaders for our committee, really outstanding chairmen, and we have many wonderful members. But I always am so very impressed, in fact at times even amazed at the knowledge that the gentleman from Minnesota (Mr. OBERSTAR) our ranking member, has on the issues that come before our committee, and I think there are very few Members in this body who are more dedicated to the work that comes out of a committee than the gentleman is to the work that comes out of the Committee on Transportation and Infrastructure, and I just wanted to express once again, as I have before, my very deep appreciation and respect and admiration for him, and he has shown that once again on this bill. And I do agree with him. He is correct in saying this is not just another bill. The lack of controversy about this bill should not be any indication of its importance. As I mentioned a moment ago and as the gentleman from Minnesota (Mr. OBERSTAR) mentioned, it has almost one-fifth of the surface freshwater in the world in the Great Lakes and I think 95 percent of the U.S. surface freshwater. But this bill would not be before us today if it were not for the great and dedicated work of the gentleman from Michigan (Mr. EHLERS).

Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. Mr. Speaker, I thank the gentleman from Tennessee (Mr. DUNCAN) for yielding me this time. I thank the gentleman from Minnesota (Mr. OBERSTAR) for his very generous comments and his erudite display of knowledge.

I agree with the gentleman from Tennessee's (Mr. DUNCAN) comments about the gentleman from Minnesota's (Mr. OBERSTAR) interest and his vast scope of knowledge. I would like to think that is a trait of people from Minnesota since I was born in Minnesota myself.

□ 1515

The gentleman from Tennessee has done an outstanding job of chairing the Subcommittee on Water Resources and Environment, and we have gotten some

very good legislation out this year, not just this bill, but other bills relating to this, and I hope they all pass as this bill is doing.

Also I want to thank the gentleman from Alaska (Mr. YOUNG), the chairman of the Committee on Transportation and Infrastructure, for his support, and the excellent staff of the Committee on Transportation and Infrastructure, who have worked very hard, even sometimes late evenings, to get this legislation through the House, over to the Senate, and now back before the House for final consideration.

America is often called the land of plenty, especially when it comes to our natural resources. Few places are blessed more than we are, and the Great Lakes stand out among our many blessings. These lakes provide us with fresh drinking water, habitat for wildlife, food for fisheries, recreation in and on the waterways, water for agriculture, and shipping lanes for economic growth. Millions of people live on the Great Lakes and millions more journey to the Great Lakes to vacation and enjoy all the splendors the lakes provide. Put simply, they are the heart and soul of Michigan.

I would also add to the statistic the gentleman from Minnesota (Mr. OBERSTAR) gave that one-fifth of all the fresh water in the world is contained in the Great Lakes. Even beyond that, the Great Lakes alone contain 20 times more fresh water than all the other lakes and rivers in the United States combined; twenty times more than all the others. That is an immense amount of fresh water.

The legislation before us today is a marriage of two different bills, both of which represent a great step forward in protecting and restoring our environment in the Great Lakes Basin. Title I of the legislation is the Great Lakes Legacy Act of 2002, which I introduced in March 2001. The Senate accepted almost all of the legislation that passed the House on September 5, 2002. This title provides \$50 million a year in grants to clean up contaminated sediments at "Areas of Concern" within the Great Lakes. These areas represent a legacy of pollution within the Great Lakes Basin, and it is high time that we clean them up or, in the words of the gentleman from Minnesota (Mr. OBERSTAR), prevent any further contamination of future generations.

In addition, the legislation will foster technology research development by providing the Environmental Protection Agency's Office of Research and Development \$2 million a year. With this funding, we can find better, faster, cheaper ways to clean up these toxic hot spots.

In carrying out this program, the Great Lakes National Program Office, which is ultimately responsible for making these grants, should coordinate with the Office of Research and Development to ensure that grants are focused on technologies that will, in fact, improve the way we clean up these sites.

We also accepted some changes the Senate made to the Legacy Act that passed by the House. We have added a new public information program which is funded at \$1 million a year. This will ensure that the public is informed about the progress, or lack of, in cleaning up areas of concern.

Lastly, we have added a provision that requires the Environmental Protection Agency to report back to Congress on what the Agency needs in order to oversee and implement the remedial action plans for Areas of Concern and other plans mandated by the Great Lakes Water Quality Agreement. These plans represent the steps that must be taken in order to restore the water quality of a polluted site.

Recently, the GAO reported that the EPA has not done an adequate job of overseeing the implementation of these plans by State and local entities. GAO pointed out that this lack of oversight has led to confusion and delays in getting cleanup actions underway.

Title II of the legislation was added by the Senate in order to continue and expand a program for Lake Champlain that was established under the Clean Water Act. Current law authorizes the EPA to help State and local governments develop a plan for the restoration of Lake Champlain. Title II expands this authority to allow EPA to also provide assistance to implement projects recommended under the plan. The ultimate goal of this plan, like the Legacy Act, is to improve water quality in the Great Lakes Basin.

We as a country have spent many years cleaning up our rivers and lakes on the surface, and we have made very significant progress. Now it is time to turn our attention to the bottoms of rivers and lakes and clean up the toxic sediments that are steadily leaching into the Great Lakes. The Great Lakes and Lake Champlain Act will give this problem the attention it deserves.

I thank the chairman, his staff and the ranking member for their assistance. I also thank groups that helped on this legislation, the Lake Michigan Federation, the Sierra Club and the Council of Great Lakes Industries. I also want to thank Susan Bodine, currently on the staff, who spent endless hours working with us on this issue over the past few years. Also I want to thank Ben Grumbles, who as a committee staffer worked on this legislation. Currently he is at the EPA working in their Office of Water. I am sure he will take great pleasure in implementing this bill.

I appreciate the support of all these individuals, and I urge all of my colleagues to support this bill.

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

Mr. Speaker, again I express my appreciation to the gentleman from Tennessee for his kind, thoughtful remarks, and to the gentleman from Michigan for his thoughtful comments as well, and to say that this is the finest example of how legislation ought to

be done, where two parties get together and put aside partisanship and do things that are good for the country. We have a great tradition of doing so in our committee, and I look forward to continuing that tradition in the balance of this session and in the coming Congress.

I reexpress my appreciation to the chairman of the full committee, the gentleman from Alaska (Chairman YOUNG). Probably he is happy to see this bill passed so we stop badgering him about getting it to the floor and getting it moving.

I do want to join in observing that the additions made by the other body dealing with Lake Champlain and its cleanup are very important and very useful, but it should be emphasized that Lake Champlain is a good lake, it is not a Great Lake, with all respect to our colleagues in the other body who at one time tried to make it one of the Great Lakes by legislation. Now, that is kind of a reverse on the marriage injunction, that what God has joined together, let no man put asunder. Let no man create what God has not done. In this respect, we are happy to help out with Lake Champlain, and it is important, more important historically, I think, than geologically.

But this is good legislation. Let us now all resolve to work together to make sure we get the appropriations to carry out this legislation.

Mr. YOUNG of Alaska. Mr. Speaker, I am very pleased that today we will send H.R. 1070, the Great Lakes Legacy Act of 2002, to President Bush to be enacted into law.

The Great Lakes are a vital resource for both the United States and Canada, but have been adversely impacted by over 200 years of development and industrialization.

This is not a situation that can be addressed by pointing fingers and suing people under the Superfund law or other liability statutes.

The solution provided by the Great Lakes Legacy Act is to address sediment contamination through cooperative efforts and public-private partnerships.

Cleanup activities funded by this bill can be carried out as separate projects or in conjunction with other efforts to clean up sediments—including efforts being carried out under consent decrees or consent orders authorized by other environmental laws and efforts of the Army Corps of Engineers.

This approach is supported by both industrial and environmental groups in the Great Lakes Basin.

The Senate amendments that is before the House today consists of the House text of H.R. 1070, as title I. Accordingly, the report of the Transportation and Infrastructure Committee provides the relevant legislative history for this title.

The Senate amendment also includes, as title II, a limited authorization to EPA to support activities proposed by State and local governments to help restore Lake Champlain.

Finally, the Senate amendment includes, as title III, some miscellaneous items, including the restoration of various Clean Water Act reports to help my Committee's oversight of Clean Water Act programs.

I urge all members to support the Senate Amendment to H.R. 1070.

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

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

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and concur in the Senate amendment to H.R. 1070.

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. DUNCAN. 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. 1070.

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

There was no objection.

REAL INTERSTATE DRIVER EQUITY ACT OF 2001

Mr. PETRI. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 2546) to amend title 49, United States Code, to prohibit States from requiring a license or fee on account of the fact that a motor vehicle is providing interstate pre-arranged ground transportation service, and for other purposes.

The Clerk read as follows:

Senate amendments: Page 3, strike out lines 1 through 7 and insert:

“(i) transportation by the motor carrier from one State, including intermediate stops, to a destination in another State; or

“(ii) transportation by the motor carrier from one State, including intermediate stops in another State, to a destination in the original State.

“(2) INTERMEDIATE STOP DEFINED.—In this section, the term ‘intermediate stop’, with respect to transportation by a motor carrier, means a pause in the transportation in order for one or more passengers to engage in personal or business activity, but only if the driver providing the transportation to such passenger or passengers does not, before resuming the transportation of such passenger (or at least 1 of such passengers), provide transportation to any other person not included among the passengers being transported when the pause began.

Page 3, line 8, strike out “(2)” and insert “(3)”

Page 3, line 18, strike out “require” and insert “require, in a nondiscriminatory manner,”.

Page 3, line 22, after “to” insert “pre-licensing drug testing or”

Page 3, line 24, strike out all after “domiciled,” down to and including “or” in line 25.

Page 4, line 2, after “service,” insert “or by the motor carrier providing such service,”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 20 minutes.