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Budget approval for some positions. "We've just started meeting with other agencies in the inter-agency task force and there has not been time to hammer out detailed positions," the aide said. Members of the subcommittee chided the administrator for only providing copies of her testimony several hours before the hearing.

Browner flagged "priority problems"

Nevertheless, Browner flagged several "priority problems" that she said should be addressed during reauthorization, including finding funding sources for water quality control and delivery; controlling wet weather flows, such as combined sewer overflows, stormwater discharges and polluted runoff; and a broad category that called for the "recognition of the value and cost of clean water and healthy waterbodies."

Although vague, Browner did offer some details of possible changes to nonpoint source legislation. "While section 319 nonpoint management programs provide a good starting point, stronger measures are needed," she said. The administrator said that the administration's "approach of first choice" would be voluntary, but would include "a back-up regulatory approach which would be used when voluntary approaches don't work."

In addition, Browner pointed to preliminary results of EPA's 1992 survey of state funding needs, noting significant increases due to population growth, deterioration of facilities, new requirements and newly eligible activities (see box). She called on Congress to fully fund the Clinton administration's proposals for new state revolving loan funds for drinking water and wastewater.

"These critical environmental issues require effective, innovative solutions that in practice, must be implemented with the resources we can reasonably expect to be available to governments and the private sector," Browner told the House Subcommittee on Water Resources & Environment. "We need to tap the energy and ideas generated by public and private partnerships and to involve those with a stake not only in achieving the goals but in implementing the solutions by which these goals are to be attained," she added.

Although Browner did not directly respond to questions about administration plans to introduce its own reauthorization bill, she emphasized throughout her lengthy testimony that the administration is seeking to work with congressional aides and members to fashion reauthorizing language. This indicates that the administration is willing to allow congressional staff to develop a bi-partisan bill, and would only introduce their own bill should the current efforts break down, one environmentalist said. Acting Assistant Administrator for Water Martha Prothro has been representing EPA in discussions with congressional staff on reauthorization (see related story).

Many members indicated their willingness to work with Browner and her aides on the reauthorization effort, including the Chairman of the House Public Works & Transportation Committee, Rep. Norman Mineta (D-CA), who emphasized the need for a solution to "the most controversial" clean water issue — wetlands. "We need to make sure that wetlands protection is fair and efficient," Mineta said, adding that "it will not be easy but I am committed to finding a solution."

Both the pollution prevention and ecosystem approach have long been touted by EPA and administration officials, and environmentalists said that Browner's emphasis on these two issues was no surprise. "It seems the administration does not know how it will make these two issues work in the legislation, but they have at least indicated they will try," one environmentalist said.

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Needs survey points to 'daunting' increase in funding requirements

Preliminary findings of an EPA study show that state funding needs for municipal wastewater treatment have increased by "daunting" amounts, EPA Administrator Carol Browner told a House subcommittee May 5, citing an increase in constant dollars from \$90 billion in 1988 to \$108 billion in 1992.

But "as daunting as these figures are," Browner said in testimony before the House Subcommittee on Water Resources & Environment, "there is reason to believe that some needs are seriously underestimated." For example, EPA, states and localities have not yet determined how to meet statutory requirements for combined sewer controls and stormwater management, while the agency has "no estimates at all" regarding the funding needs for aquatic ecosystem protection and restoration. "Therefore, the documented needs do not yet fully reflect the costs of correcting these problems," she said.

Browner pointed to four reasons for these increased needs:

- continued population growth and redistribution;
- deterioration of older sewers and other facilities;
- new requirements to protect water quality; and
- newly eligible activities.

EPA has already determined that documented needs for CSOs have increased by \$5 billion, largely because the costs resulting from a lack of CSO controls are better understood today, Browner said. In addition, advanced treatment needs have grown by \$10 billion because secondary treatment controls have proven insufficient to meet water quality standards, while a \$3 billion increase for new collectors is attributable to population growth and redistribution since the last survey was done in 1988.

Two other increases have resulted from state reporting on needs prompted by new categories: stormwater pollution management and nonpoint source controls. For each of these categories, states have reported increases in the range of \$10 billion over 1988 needs.

EPA sources say that the final needs survey will be ready for review "very soon."

Watershed protection and pollution prevention

On watershed protection, Browner said the Clean Water Act already provides EPA and states with the ability to look at entire ecosystems, but that "the statutory requirements need to be refined to ensure comprehensive implementation, [to] consolidate planning and [to] modify reporting requirements."

Focusing on a watershed as a whole rather than on "merely specific sources of pollution within the watershed is essential to ensure that we succeed in restoring and protecting the Nation's aquatic resources," Browner said, continuing that "adding a stronger geographically based approach to protecting our aquatic resources can ensure that solutions are carefully tailored to address the unique circumstances facing each locality."

The Clinton administration, Browner said, "envisions an approach to water resource protection that looks first to the ecosystem itself, evaluates its needs based on risk, and then tailors workable solutions to those needs through the participation of stakeholders in every phase of the process." Browner included in the watershed approach nonpoint source pollution, habitat degradation, wetlands loss and threats to groundwater.

No 'backsliding'

Browner also moved to allay the fears of some environmentalists that the use of a watershed approach would lead to backsliding or weakening of current standards. "The application of the watershed approach does not imply a backsliding of current requirements," she said, adding, as an example, that national secondary treatment requirements "would remain and the focus would be on eliminating threats that are not avoided through its application."

Pollution prevention, Browner said, offers an approach "within our base regulatory program that will allow us to move even more effectively toward meeting the overall goals of the CWA." Among the benefits of this approach, prevention also "reduces the likelihood that a 'solution' to one pollution problem will simply transfer the residual pollutants to different media."

Processes such as switching to less-polluting solvents in manufacturing processes and reducing water use "has the potential to produce permanent solutions to environmental problems," Browner said.

CLEAN WATER ACT — EPA, Senate staff disagree over toxics, wet weather controls

Negotiations between Senate staff and EPA officials aimed at developing a comprehensive Clean Water Act reauthorization bill by May 24 have run into difficulties over strict new restrictions on toxic pollutants and a schedule for implementing new wet weather and nonpoint source controls, according to sources close to the negotiations.

One EPA source said the difficulties may result in the deadline for drafting the strawman bill being "pushed back." "If they want to have that finished by May 24, they will have to stop talking and start drafting pretty soon," the source said.

Acting Assistant Administrator for Water Martha Prothro, who is representing EPA in the discussions, met with Jeff Peterson, an aide to Sen. Max Baucus (D-MT), chairman of the Senate Environment & Public Works Committee, at least three times between May 3 and May 7.

Some EPA sources had recently expressed doubts about Prothro's ability — as a career staffer, rather than a political appointee — to represent the administration in political negotiations. But environmentalists, who have previously supported Senate efforts to reauthorize the Clean Water Act, this week praised EPA Administrator Carol Browner's decision not to wait until an appointed assistant administrator is in place. "It's true that an assistant administrator would bring his or her own ideas to the bill," one environmentalist said, "but at least Browner is not waiting until then."

Sources say that Senate staff are mindful of the difficulties of tackling nonpoint source pollution, because of the strong influence of agricultural groups and Baucus's origins from Montana — a predominantly rural state, heavily dependant on farming for its economic livelihood. Agricultural runoff is among the major contributors to nonpoint source pollution.

Much of the difficulty revolves around timetables for developing and implementing watershed plans. Senate staff "want us to have plans in place for every watershed in the country within five years and for them all to be on the high priority list," one EPA source said. This source suggested that the Senate staff are purposely pushing for an overly ambitious schedule, in anticipation of a lawsuit from environmentalists that would result in court-ordered deadlines when the agency fails to meet the schedule laid out by Congress.

Browner has called for a bill that is "realistic and implementable," the source said, resisting tight deadlines. However, Browner has said she is willing to consider tighter deadlines if

additional funds can be provided, the source said.

On new controls for toxic pollutants, Senate staff have long called for strict new measures to restrict discharges. Peterson recently called for expanding the effluent guidelines program for industrial discharges by initiating the "phaseout of highly toxic and highly bio-accumulative pollutants [and] putting [restrictions] on the introduction of new chemicals."

But the EPA source said that controls on toxics are already in place — states already have controls for at least 90 toxics, the source said — and that political capital should not be wasted on seeking these new controls. "If Congress is only going to give us a few new things, toxics is not one of our highest priorities," the EPA source said.

The source cited as an example the Columbia River in the Pacific Northwest, noting that it was not dioxin from polluting pulp and paper mills that had destroyed the river, but destruction of surrounding habitat and the damming of the river.

ENFORCEMENT — Lawmakers, environmentalists push New Jersey model

Lawmakers and environmentalists have begun efforts to tighten the enforcement provisions of the Clean Water Act, seeking to enact a policy at the federal level that has already proven successful in New Jersey in increasing the number of enforcement actions while lowering average penalties.

Officials in the White House have also expressed an interest in the New Jersey model, according to environmentalists, who met April 15 with Kathleen McGinty, director of the White House Office of Environmental Policy. "Anytime you have a policy that increases compliance and generates additional revenues and that conservative legislators are not moving to repeal is something that would be attractive," one environmentalist said of McGinty's interest in the plan.

An annual report documenting the results of implementing the New Jersey model, contained in the New Jersey Clean Water Enforcement Act of 1990, shows increased compliance with permit requirements through facility inspections, smaller average penalties assessed in enforcement actions and significantly increased number of permit actions. The smaller average penalties is an indication that the policy is forcing companies to comply with the law before small problems become more serious, according to sources.

EPA Administrator Carol Browner called for improved enforcement provisions when she testified before a House subcommittee May 5. "Essential to the success of the Clean Water Act is the presence of a vigorous enforcement program," Browner said. But senior EPA enforcement officials said they are not familiar with the White House review of the New Jersey model, although they acknowledged that the White House, or EPA water officials, may have chosen not to include them in this process.

State officials warn of limits

Despite the apparent enthusiasm for the New Jersey model at the federal level, senior enforcement officials in New Jersey warn that while their approach has been successful in increasing compliance and lowering the average penalty in a growing number of cases, their enforcement methods may act to stifle attempts to move to a watershed approach. A state official said the mandatory enforcement method "ties the hand of regulators, locking us in to set penalties." This method of set penalties may not work in a watershed approach, the source said.

The source also said that although the results to date have been significant, the program was only implemented in July 1991. "Given that we've only had this program for 18 months, before I recommend expanding it to a national level I'd want a few more years to experiment," the source cautioned.

But environmentalists in the state countered that the regulators were opposed to the program because it tied them to strict enforcement of permit conditions, saying some of these conditions had not been applied prior to the enactment of the state legislation.

The legislation, which is expected to be introduced May 25 by Rep. Frank Pallone (D-NJ) and Sen. Frank Lautenberg (D-NJ) would codify much of the New Jersey provisions at the federal level, in an expanded version of proposals that the two lawmakers introduced in the last Congress but that failed to move, along with other efforts to reauthorize the Clean Water Act. Testifying before the House Subcommittee on Water Resources & Environment April 21, Pallone said that "without a mandate for strong [EPA] enforcement, industry has found that it pays to pollute."

Legislation increases enforcement

Pallone, who was an original author of the New Jersey Clean Water Enforcement Act while a state legislator, told the House subcommittee that his bill would create pollution prevention incentives by enacting mandatory minimum penalties, removing the economic incentive for industries to remain out of compliance, adding strong reporting and inspection provisions — including self-reporting requirements — and easing restric-

tions on filing citizen suits.

Pallone said the self-reporting requirements are "at the heart of the legislation because they provide up-to-date information on violations and deter violators from masking the severity of their violations through the continued practice of averaging data."

But the bill also reverses recent Supreme Court limitations on the ability of citizens to bring suit against violators by removing obstacles "which are clearly contrary to congressional intent," Pallone said. The Supreme Court ruled in *Cheapeake Bay Foundation v. Gwaltney of Smithfield* that groups cannot sue for "wholly past" violations, limiting the ability of suits against violators "alleged to be in violation of the Act."

"The chilling result" of this "brazen decision," Pallone said, "is that industry, rather than coming into compliance once they have broken our environmental laws, waits until citizens file notice of intent to sue. The company then comes into compliance within the prescribed 60 day period [and] they retain the economic benefit for polluting our resources."

Specifically, the bill would:

- Eliminate agency discretion in the issuance of penalties. "They must impose fines whenever serious or chronic violations are discovered," Pallone said. However, the act provides that penalties would grow stronger for serious violations, and for repeat violators. The minimum fine for "serious violators" would be \$1,000 per violation per day. For "significant non-compliers" the minimum fine would be \$5,000 per day per violation;

- Create mandatory minimum civil penalties for violations which must be at least high enough to cancel out the "economic benefits of polluting."

- Double the maximum penalty from \$10,000 to \$20,000 per violation; and

- Expand citizens' ability to bring actions for pretreatment and all other violations — including past violations. The bill also would change current law by enabling citizens to sue for recovery of damages caused by violations which occurred in the past, but may have been only recently uncovered.

NONPOINT SOURCES — Milwaukee poisoning prompts calls for national legislation

The lethal contamination of Milwaukee's drinking water supply last month is prompting calls from environmentalists and at least one Wisconsin legislator for tough national legislation to attack the problem of nonpoint source pollution. At the same time, the incident is emerging as a potential factor in the upcoming gubernatorial campaign in the state, with a possible challenger to Gov. Tommy Thompson (R) criticizing the governor for gutting a comprehensive nonpoint source pollution bill approved by the state legislature last May. The bill, which prioritizes damaged watersheds and includes tough enforcement provisions, may be passed untouched when it is reintroduced in the state legislature later this year, sources say.

The contamination incident and the dispute over last year's state legislation has led the bill's author — who may run against Thompson in next year's gubernatorial election — to call on Congress to implement tough new federal controls on nonpoint pollution when the Clean Water Act is reauthorized. In testimony before the House Water Resources & Environment Subcommittee May 12, state Sen. Charles Chvala (D-Madison), called for tough federal nonpoint source standards "to assure consistency and provide direction" to prevent future outbreaks of waterborne illnesses. "With Gov. Thompson's veto of the key portions of Wisconsin's nonpoint bill, the need for a federal law that reduces the flow of nonpoint source pollution has never been more evident," Chvala stated in his testimony.

An environmentalist echoes Chvala's call, saying the contamination of the Milwaukee water supply has caused allegations to fly between the state's rural and urban communities over who is to blame, and says this underscores the need for national legislation.

The dispute in Wisconsin is all the more surprising because EPA nonpoint source officials acknowledge that the state has one of the best programs in the country. EPA and state officials note that the dispute indicates the difficulty in legislating and enforcing nonpoint source programs, and warn that this may be one the most difficult issues for Congress to deal with in the Clean Water Act reauthorization. EPA and Senate staff have already acknowledged disagreements over timetables for implementing nonpoint source controls in their initial discussions on Clean Water Act reauthorization (see related story).

No direct connection

None of those criticizing the governor are willing to make a direct connection between the recent outbreak of *cryptosporidium* in Milwaukee's drinking water supply and Thompson's veto of the bill. Instead, many of the critics are connecting the crisis — which resulted in one confirmed death, thousands of illnesses and required residents to boil their drinking water for weeks — to nonpoint pollution caused by agricultural runoff. "While the nonpoint pollution bill that sailed through the legislature last year only to be gutted by Thompson's veto probably could not have forestalled this spring's *cryptosporidium* outbreak, it might have prevented such plagues in the future," charged an April 14 editorial in the *Wisconsin State Journal*.

Thompson, however, has challenged assertions that the outbreak was caused by agricultural runoff, as some experts have argued, noting instead that the contamination was likely caused by the accidental dumping of 14 tons of raw sewage near an intake pipe shortly before the outbreak. Thompson has also pointed to a recent change in the city's filtration system, shortly before the epidemic occurred, and continues to stand by his partial veto, pointing to an alternative nonpoint source control plan he submitted as part of his fiscal year 1993 budget proposal.

One environmentalist noted that the cause of the drinking

water contamination has led to a lot of fingerpointing between rural and urban representatives, "illustrating the need for a national bill" that includes controls for municipal, construction and farming runoff. "Unless everyone is included [in this bill,] the fingerpointing goes on endlessly," he said.

Veto surprised groups

Thompson's gutting of the bill surprised environmentalists, farm groups and construction industry sources, who had all supported the bi-partisan bill during its lengthy drafting. According to Chvala, who chaired a special Legislative Council committee on nonpoint source pollution, Thompson had indicated that he would sign the bill, but at the last minute, changed his mind, cancelling the scheduled signing ceremony and releasing a veto message late on a Friday afternoon. Chvala charged that Thompson did that to appease a small group of vocal farmers and builders who had not agreed to the compromise.

The bill, SB281, contained wide-ranging provisions to:

- Create a statewide construction site erosion control program paid for with builder permit fees. Other fund-raising provisions include a tax on highway salt;
- Reform the state's priority watershed program and create incentives for farmers and others to implement best management practices voluntarily;
- Create a "bad actor" provision which would have allowed enforcement of BMP programs if water quality in a priority watershed was not being met; and,
- Limit uncontrolled livestock access to lakes and streams.

Environmentalists were particularly pleased with the "bad actor" and livestock access provisions which they claimed provided substantial "teeth" to enforcing the bill. However, Thompson charged in his veto message that they "create new enforcement authorities . . . which have not been proven to be necessary."

TAX EXEMPTIONS — Studds bill seeks deductible water and sewer fees

In response to skyrocketing water utility fees in his home state, the chairman of the House Merchant Marine & Fisheries Committee, Rep. Gerry Studds (D-MA) has introduced legislation that would allow homeowners to deduct sewer and water payments from their federal income tax.

"The costs of improving Massachusetts' wastewater and drinking water systems are imposing unfair burdens on Massachusetts residents — forcing them to pay water and sewer fees that are among the highest in the nation," Studds said in a statement May 4. "Many families will soon be paying more in water and sewer fees than property taxes," he added.

The introduction of the bill is part of a dual strategy by Studds and the rest of the Massachusetts delegation to bring relief and raise revenues to pay for wastewater treatment. Studds is soon expected to introduce his long-awaited "polluter pays" legislation, that he claims would raise up to \$6 billion annually through the imposition of fees and taxes on water polluters. The revenue would be used to pay for wastewater treatment facilities.

In addition, after heavy lobbying, the Clinton administration agreed to ask Congress for \$100 million for special municipal wastewater treatment needs in the fiscal year 1994 budget request. Although not specifically earmarked for Massachusetts, sources acknowledge that regulations governing the fund's distribution will mean that only Boston will meet the eligibility criteria.

Water and sewer rates in many areas in Massachusetts have increased by as much as 400 percent since 1986, to an average of \$545 per household for 1993. Officials with the Massachusetts Water Resource Authority predict that figure may double by the end of the decade.

Many communities in the past provided water and sewer services that were funded through property taxes. But recent ballot initiatives have limited tax measures, leading local authorities to impose fees on water use. However, the Internal

Revenue Service has ruled that these fees are not tax-deductible.

"If a Fortune 500 company can deduct from its tax bill the cost of sending its clients to the Super Bowl," Studds said, "middle-class homeowners ought to be able to reduce their tax burden for the water and sewer bills they pay."

The bill, which was introduced May 4 and co-sponsored by the rest of the Massachusetts delegation, would allow taxpayers to deduct fees for sewer and water services to the extent that those fees exceed 1 percent of adjusted gross income.

Congressional sources warned that with President Clinton's budget request for fiscal year 1994 already \$6 billion higher than permitted under the congressional budget resolution, it was unlikely the Studds bill would move. Studds himself acknowledged that he introduced the bill "as a way to explore every possible avenue of relief for overburdened ratepayers."

PERMIT FEES — GAO urges system to pay for compliance monitoring

The General Accounting Office in a harshly critical report is calling on EPA to establish a permit fee system to help pay for federal and state compliance monitoring programs, which rely on self-reporting by dischargers. The programs sorely need extra funds to ensure adequate oversight, GAO says.

The congressional watchdog organization made its recommendation in a new report — *Environmental Enforcement: EPA Cannot Ensure the Accuracy of Self-Reported Compliance Monitoring Data* — which blasts the agency and authorized states for not having adequate oversight to ensure that all facilities subject to discharger regulations are identified. EPA and states are also failing to ensure that discharger monitoring data is free from error or fraud, GAO says.

The GAO report, released last week by the Senate Committee on Governmental Affairs, concedes that EPA's national pollutant discharge elimination system (NPDES) program lacks sufficient resources to actively identify unregulated facilities. An increase of NPDES permit applications due to increased oversight in this area would "simply add to an already difficult burden," GAO says. According to EPA sources cited by GAO's report, this burden consists of a backlog of NPDES permit applications and of expired permits in excess of 6,000 and 3,000 respectively. However, the report "advocate[s] a pollutant-based permit fee system as one means to mitigate resource constraints."

The report further recommends that the Water Office work with the Office of Enforcement and NPDES-authorized states to develop a program designed to identify and initiate enforcement actions against unregulated discharge facilities.

EPA's Office of Enforcement called the identification of unregulated dischargers a significant issue in its four-year strategic plan for enforcement issued in 1991, "because regulating all facilities is important to ensure the integrity of the regulatory system," the report says.

Other NPDES program deficiencies detailed in the GAO report include insufficient controls to prevent and detect fraudulent data, incomplete and nonexistent inspections to oversee data quality, and a failure to require statistically representative sampling.

The GAO document states that EPA needs to have more complete and consistent methods to detect fraud, including a regular comparison of laboratory results with supporting facility documentation, and fraud awareness training for

state inspectors. The report notes that although EPA officials believe falsification of sampling and laboratory analysis is "rare," there are many economic incentives for falsification. The report points out that facilities may falsify samples in order to avoid costly enforcement actions or to avoid fixing flawed wastewater treatment equipment, and laboratories may falsify results in order to save money or handle more work.

An Office of Wastewater Enforcement & Compliance official says EPA staff will decide how to react to the report after they have had time to review it. This source says the Senate committee could schedule a hearing on the issues in order to determine how the agency plans to resolve the problems outlined in the report. Senate committee staffers were unavailable for comment.

DRINKING WATER SRF — Sources fear quick action undercuts program effectiveness

House Republicans fear that swift committee action on President Clinton's proposed state revolving fund for drinking water projects may serve to undercut the effectiveness of the program. These sources claim that the haste of committee work may preclude the consideration of certain amendments that could put the new funding program on firmer financial ground.

The pace of committee efforts is being driven by a jurisdictional battle between the House Public Works & Transportation and Energy & Commerce committees. Both chairmen Norman Mineta (D-CA) and John Dingell (D-MI) have asserted claims over the new \$599 million dollar fund aimed at assisting state and local governments in meeting Safe Drinking Water Act requirements. Both have rushed to move bills out of their committees in order to force action — by either the House parliamentarian or the full House — that would give jurisdiction over the fund to their respective committees.

The House Public Works & Transportation Committee on April 28 passed its version of the loan program at a mark up of H.R. 1865, a bill introduced by Mineta on April 27. That bill establishes the drinking water fund as a separate account of the existing wastewater state revolving loan fund, creating what some congressional staff call a huge, multiple use water infrastructure fund. Mineta's bill amends the Clean Water Act section which establishes the wastewater state revolving loan fund. House staff say Mineta, responding to a question from Rep. Nick Joe Rahall (D-WV) during the mark up, left open the possibility that the proposed fund could include grant eligibility for financially-strapped communities.

That mark up came just one day after the Energy & Commerce Committee approved its bill, calling for the program to be established as a revision to the Safe Drinking Water Act, over which the committee has prime jurisdiction (see April 28 issue, p. 27).

Water Regulation

WETLANDS — Industry, EPA welcome White House agreement on Interagency panel

The Clinton administration's decision to convene an interagency group to examine the controversial wetlands issue is winning praise from industry representatives who predict White House involvement will move the debate closer to their position. EPA sources are encouraged by the move, saying discussions will foster communications between the White House and EPA as various wetlands issues arise.

The White House effort comes as Senate Environment & Public Works Committee Chairman Max Baucus (D-MT) vowed wetlands would be addressed during Senate consideration of Clean Water Act reauthorization. Industry and environmental sources say Baucus' announcement changes the nature of the wetlands debate, as the Senate previously appeared reluctant to grapple with the controversial issue.

The debate over wetlands is seen as one of the most divisive issue facing Congress during reauthorization of the Clean Water Act, which is expected to take place during this Congress. Southern Democrats, considered Clinton allies, have led the criticism of the federal wetlands program, with Rep. James Hayes (D-LA) introducing a major industry-backed wetlands reform bill, H.R. 1330.

Senate debate over a wetlands amendment offered by Sen. Christopher Bond (R-MO) to S. 171, a bill elevating EPA to the Cabinet, produced a flurry of activity on the wetlands issue as advocates of strong wetlands protection scrambled to defeat the amendment. Bond's amendment, which was strongly opposed by environmentalists, would have made the Agriculture Department Soil Conservation Service the lead federal agency in deciding which farm lands fall under federal wetlands jurisdiction. However, during debate over the measure, Baucus introduced his own amendment to Bond's amendment, calling instead for a study of the agricultural wetlands issue. Baucus' amendment was passed by the Senate, rendering Bond's amendment moot.

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During the Senate Cabinet bill debate, Sen. John Breaux (D-LA), champion of a controversial wetlands reform bill during the last Congress, announced that the Clinton administration planned to convene an interagency group to examine the wetlands issue. Breaux and six other southern Democrats sent an April 28 letter to Clinton, calling for an interagency group "to work with us, other congressional leaders and the public during . . . consideration of the Clean Water Act to forge a consensus on this difficult policy issue." That letter pointed to Clinton's 1990 activities as chairman of the Lower Mississippi River Delta Development Commission, a group that criticized the federal wetlands program and recommended sweeping changes to federal wetlands policy.

An administration spokesperson confirms that the White House will convene an interagency task force on wetlands, adding that it fully expects to receive input from Congress on the issue. Some congressional sources are still calling for a wetlands "summit" similar to the forest summit conducted last month, with one suggesting that the interagency work group

should establish such a meeting as its goal.

Industry sources say the administration's decision, coupled with Baucus' pledge to address the wetlands issue during Clean Water Act reauthorization, changes the landscape of the wetlands debate dramatically. One industry wetlands policy reform advocate says the rancor over the Bond amendment, and the "fear that southern Democrats would line up with Bond" have served notice that "the Senate is not the left-leaning body on this issue as some may have thought." This source and some congressional sources suggest that Breaux, seeing an opportunity in Bond's amendment, was able to nudge Baucus and the White House into addressing the wetlands issue, but Baucus and Breaux sources could not confirm this.

EPA sources have also welcomed the interagency panel, noting that it would open the lines of communication between EPA and the Office of Environmental Policy. Environmentalists offered cautious praise for the effort, but warned that the issue could become "mired in politics," one source said.

WATER QUALITY — EPA drafts revisions to 10-year-old standards

EPA staff have drafted possible revisions to the nation's 10-year-old water quality standards, and are circulating the draft within the agency before releasing it for public comment as an advanced notice of proposed rulemaking, EPA staff say. These sources say they are waiting for a Water Office assistant administrator to be named before the proposal is published.

The notice — which agency sources hope will be published sometime in May — would mark the first time EPA has reviewed the water quality standards since 1983. One EPA source says the proposal is "intended to initiate discussions on the regulations." Specific areas that could be addressed include anti-degradation, variances, mixing zones, schedules of compliance and existing-use provisions. By releasing the notice, the agency is not committing itself to changing the standards, a decision agency sources say would have to be made by the assistant administrator.

The move is being welcomed by state sources, who have already been contacted informally by EPA for input. One state source points out that "we've been concerned with specific criteria used for the development of water quality criteria and effluent standards." This source could not elaborate on states' concerns since the notice has not yet been formally released, but says that "We're pleased to see the agency is placing an emphasis on risk assessment and good science." Industry sources, who have also been discussing the matter with EPA, could not be reached for comment.

One possible revision EPA is considering is the addition of a fourth category in the anti-degradation section of the standards, which are intended to maintain and protect existing uses of water bodies. EPA's current standards distinguish between tier II waters — which are deemed "high-quality water resources" despite failing to meet strict fishable, swimmable standards — and tier III waters, deemed outstanding national water resources.

EFFLUENT GUIDELINES — EPA set to clash with industry, environmentalists

EPA appears on a collision course with industry and environmentalists over its standards for the organic chemical and plastic industries, with both industry and environmentalists claiming the agency has failed to assess the range of available technologies to meet the requirements. Industry argues that the agency has inadequately considered the technical feasibility of meeting the new requirements, while environmentalists maintain that a more thorough analysis would result in tighter standards.

EPA is expected to issue the standards May 31 in compliance with a court remand, which both groups say required an extensive technical review of the standards. While EPA officials refused to comment on the agency's final standards, sources acknowledge that little new information has been gathered in developing the requirements. Specifically since the agency's reproposal last December, EPA sources confirm that no new surveys or industry questionnaires have been conducted, despite strongly worded comments by environmentalists and industry calling for a thorough regulatory review. "We feel that we have fulfilled our responsibility and addressed the various concerns by reviewing the existing data base," says an EPA official.

Water Litigation

INJECTION CONTROLS — Group threatens suit to force approval of state plan

Environmentalists who are at the forefront of growing efforts to demand stronger underground injection control programs are threatening to sue EPA unless it acts promptly to force a state's program into compliance with federal requirements.

The environmental group, Legal Environmental Assistance Foundation (LEAF), plans to use its proceedings against EPA and the state of Florida as a potential model for taking similar action against the states of Georgia and Alabama, which also have deficient UIC programs, says a LEAF representative. And the group is providing information on its proceedings to grassroots environmental groups which are concerned about UIC program deficiencies in Tennessee, Texas and Pennsylvania.

LEAF's action has been under development for the past two years as states have been complaining about limited resources to run their UIC programs and EPA has been developing tougher UIC rules regulating Class V injection wells. Illinois recently became the first state in the nation to return its UIC program to EPA.

LEAF has given EPA a June 4 deadline to force the state of Florida to rectify deficiencies in its underground injection control program or face legal action. This source says EPA has made a "great effort" to resolve the problem, but the state has been unwilling to address its problems. "EPA has done all it can, but without legal action EPA can't do anything," says this source.

An EPA Region IV official says the agency is currently drafting a letter to Florida UIC officials "recommending" changes in its UIC program. This source indicates that Florida's UIC regulations may not be "equivalent" to EPA's rules, but failed to elaborate.

An EPA official in Washington, DC, who declined to speak about the alleged deficiencies in Florida's program, says EPA will expect a response from Florida "within a short time frame." This source says EPA has to "balance" LEAF's position with what the state has to say.

This source adds that EPA is taking LEAF's ultimatum seriously, stating that "anytime a citizen group takes an initiative such as LEAF's it is a priority issue." EPA has oversight responsibility for state-approved programs, but officials blamed "limited resources" for the agency's limited oversight.

LEAF originally petitioned EPA in January 1991 to revoke the Florida Department of Environmental Regulation's authority, citing more than 27 major deficiencies with the program. The LEAF attorney says the group's main concern is that underground sources of drinking water in Florida are being contaminated by injected wastes.

According to the Safe Drinking Water Act's citizen suit provisions, LEAF will have to file a notice of intent to sue before it can initiate proceedings. If EPA fails to respond to the petitioner's concerns within 60 days the case would then go to court.

DISCHARGES — EPA offices dispute permit protection from lawsuits

EPA's Water and Enforcement offices are disputing the crucial issue of whether Clean Water Act permits "shield" industrial facilities from lawsuits when facilities discharge pollutants not specifically listed in their permits. The internal dispute was touched off by a citizen lawsuit that, if successful, could significantly revamp the way water permits are written in the future, say industrial sources.

While discussions between the Water and Enforcement offices are being tightly guarded, sources say officials in the Water Office's permits program argue that if effluent contains pollutants not expressly addressed in the permit, the discharger should not be subject to lawsuits. The Enforcement Office is reportedly taking the opposite position. One source says the Enforcement Office is coming closer to the permit program's position on the issue, but officials with the enforcement program refused to comment on the deliberations.

The internal agency debate was prompted by a citizen suit — *Atlantic States Legal Foundation, Inc. v. Eastman Kodak Company* — filed April 8 in the U.S. Appeals Court for the Second Circuit after Judge Michael Telesca of the U.S. District Court for the Western District of New York on Dec. 28, 1992 ruled against the plaintiffs. The Justice Department is reportedly considering whether to file a "friend of the court" brief in the case, and the Chemical Manufacturers Association (CMA) plans to file a brief supporting Kodak. The New York Attorney General's office and a consortium of environmentalists have filed briefs supporting the Atlantic States Legal Foundation, an environmental group.

In the earlier district court case, Atlantic States sued Kodak for violating the Clean Water Act by discharging pollutants that are not expressly mentioned in its State Pollutant Discharge Elimination System (NPDES) permit. The suit charged that information Kodak had submitted in its "toxic chemical release forms" (Form Rs) proved that the company was discharging pollutants which it was not authorized to release under its permit, thereby violating both its

permit and the Clean Water Act. Kodak argued that the case should be dismissed because the plaintiffs alleged discharges only of pollutants not expressly regulated by the state clean water permit. Kodak argued that such pollutants are not subject to citizen lawsuits under the Clean Water Act, basing its arguments on EPA internal memos interpreting the law.

In ruling on the case in Kodak's favor, Judge Telesca said that accepting Atlantic States' view of "the reach of the Act would effectively circumvent the permit system and expand the scope of a citizen suit under the Act," changing the citizens' role "from interstitial to potentially intrusive."

Atlantic States, in its appeal, argues that Judge Telesca's ruling, if upheld, "would eviscerate the Clean Water Act's [NPDES]." Section 1311(a) of the law prohibits the discharge of all pollutants, except as authorized by permit, the plaintiffs argue. Atlantic States notes that the "centerpiece" of Kodak's argument is an April 26, 1976 memo from then-Deputy Assistant Administrator for Water Enforcement Jeffrey Miller to Region V's enforcement director. The memo says EPA policy "provides for a general authorization to discharge subject only to the conditions and limitations contained in the permit." The plaintiffs urge little weight be given to the memo because it is 17 years old and its conclusion is "clearly contrary to the plain language and intent" of the law.

CLEAN WATER ACT — EPA to decide if 'cooling ponds' are a U.S. water body

EPA's Water Office is poised to make a call on whether a man-made industrial waste pond planned by a Florida utility should be regulated as a "water of the U.S." under the Clean Water Act, a decision that sources familiar with the case say will test a key agency tool for claiming federal jurisdiction over water bodies. EPA Administrator Carol Browner has recused herself from the case, reportedly because of her previous involvement in decisions affecting the company as head of Florida's Department of Environmental Regulation.

EPA's decision will be closely watched by industry representatives who fear a massive expansion of EPA authority over waste treatment "impoundments," and environmentalists who say the agency may be better able to defend its jurisdictional claims based on the presence of migratory birds and endangered species policy under different circumstances. EPA sources say the agency is expecting criticism of its call regardless of the final decision.

At issue is a proposal by the Florida Power Corp. — developed with the involvement of some Florida environmental groups — to build a new power plant in Polk County, FL. According to an April 28 memo from EPA Water Office permits division Director Cynthia Dougherty to Acting EPA Water Office chief Martha Prothro, the company's plans include development of a 2,600 acre "cooling pond" that would be used to collect discharged water heated during the electricity generation process.

The memo, which EPA sources say was developed with input from EPA's Enforcement and General Counsel Offices, notes that the area in which the proposed plant would be located contains many possible jurisdictional wetlands, is inhabited by endangered species, and is regarded as a migratory bird flyway. The cooling pond is designed to allow "no point source discharges from the pond to other surface waters of the U.S.," and will be shut off from recreational uses, according to the memo.

EPA Clean Water Act regulations establish criteria for determining whether a water body is a "water of the U.S." and thus subject to regulation under the statute. Most waste treatment systems and cooling ponds, employed to meet the Act's requirements, are excluded from this definition.

The memo indicates Prothro must address two questions in determining whether the cooling pond is a water of the U.S.: 1. is there sufficient "nexus to interstate commerce" for the proposed pond to establish it as a water of the U.S.; and 2. is the waste treatment system exclusion from waters of the U.S. applicable to the proposed pond?

The memo notes that since the early 1980s "EPA has, in addition to other factors, relied upon the actual use or potential for use as a habitat for migratory birds and endangered species as a nexus to interstate commerce." An appeals court and a district court have upheld the theory. One court rejected its application but later vacated that decision. Prothro is being urged by EPA Region IV staff to render an opinion in the matter, a decision EPA sources say will set a strong precedent for rest of the country.

If Prothro decides the proposed pond would be U.S. waters, it would be based primarily on the migratory bird/endangered species nexus, EPA sources say. If EPA makes that call, Florida Power Corp. would have to obtain a section 402 Nation Pollutant Discharge Elimination System permit to discharge effluent into the pond. If the pond is determined not to be a water of the U.S, discharges from the power plant would not be regulated under section 402. EPA sources note, however, that creation of the pond, which will likely inundate wetlands, will require a permit under section 404 of the Clean Water Act.

WATER REGULATIONS — STATUS IN BRIEF

Status lines in bold indicate new developments

DRINKING WATER DISINFECTANTS: Regulations will set acceptable levels for 25 compounds found in drinking water disinfectants, possibly including disinfectant by-products. First stage to set Maximum Contaminant Levels and Maximum Contaminant Level Goals for an initial handful of compounds, including total trihalomethanes. **Status:** EPA researching toxic effects of some by-products. EPA expects to issue a proposal in June 1993. Final rule promulgation scheduled for June 1995. Contact: Stig Regli (202) 260-7379.

DRINKING WATER — RADIONUCLIDES: EPA was originally under court order to propose by Feb. 1991 Maximum Contaminant Level Goals and Maximum Contaminant Levels for radon, uranium, radium-226, radium-228, and gross alpha and beta particle emitters in drinking water. **Status:** Final rule is expected in April 1993, under a court-ordered deadline. Contact: Jan Auerbach (202) 260-7575.

PHASE V ORGANIC/INORGANIC CHEMICAL MCLs: EPA has deferred a rulemaking on sulfate as part of a regulation establishing MCLGs and primary drinking water standards for organic and inorganic pollutants. The Phase V standards were released July 17, 1992. **Status:** EPA seeking to meet October 1993 deadline for draft sulfate standard and issue final rule December 1994. Contact: Jan Auerbach (202) 260-7575.

SEWAGE SLUDGE: A comprehensive, risk-based regulatory package instituting first-time national permitting process for sewage sludge use and disposal and setting numerical limits, for 30 pollutants found in sludge. **Status:** EPA approved standards Nov. 25, 1992. **Industry, municipality and environmental groups have challenged the rule in a suit.** Contact: Alan Rubin (202) 260-1311.

NPDES PROGRAM: Numerous revisions to EPA's NPDES permit will codify changes made by 1987 CWA amendments; foremost is an anti-backsliding provision disallowing issuance of permits containing less stringent limits. Current clause prohibiting backsliding is only applicable "to permits other than water quality based permits." **Status:** OMB suspended review June 22, 1992. Contact: Deborah Karp (202) 260-9533.

NPDES PERMIT FEES: This regulation would allow EPA to charge fees for the cost associated with issuing federal NPDES permits. These fees will be charged to industries and POTWs. **Status: Rule delayed by OMB Jan. 22 for additional state comments.** Contact: Judith Hecht (202) 260-5682.

STORMWATER: Revisions alter requirements in the NPDES permit applications for stormwater discharge. The rule affects systems serving 100,000 people or more. EPA April 2 issued a final rule extending the deadline for individual applications to Oct. 1, 1992 (the statutory deadline was Feb. 4, 1990) to coincide with the deadline for group applications. The decision was challenged in court, and the court ruled June 4 that EPA could retain the extension, but any further delays were illegal. **Status:** Permit model outlining which classes of dischargers and data must be reported was issued Sept. 25, 1992. Agency issued rule setting final deadlines Dec. 11, 1992. Contact: Kevin Weiss (202) 260-9524.

OFFSHORE OIL/GAS EXTRACTION: Rule will set tougher effluent guidelines. New source performance standards and best available technology standards will be established, and best conventional technology standards will be revised. **Status:** EPA was granted an extension to Jan. 15, 1993 to issue final stan-

dards under a court-ordered deadline. The original deadline was June 1992. In a separate court settlement, the agency is due to issue proposed standards for coastal exploration by January 1995. Rule signed Jan. 15. Contact: Ron Jordan (202) 260-7115 (offshore); Marvin Rubin (202) 260-7124 (coastal).

NONPOINT SOURCE POLLUTION: EPA has issued management measure guidance and CZMA program guidance for states to follow in implementing their own coastal nonpoint source programs. **Status:** Guidance issued Jan. 14. Contact: Steve Dressing (202) 260-7110.

CLASS II UNDERGROUND INJECTION WELLS: Proposal will offer revisions to existing regulations for minimum construction requirements for Class II oil and gas-related wells. An advisory committee of state program directors, industry, and public interest groups was chartered. **Status:** Committee's recommendations have been submitted to water office. Agency developing regulation based on recommendations. A proposal is expected soon. Contact: Jeff Smith (202) 260-5586.

TOXIC POLLUTANTS: This rulemaking would establish uniform national standards for limiting toxic pollutants as part of water quality criteria standards for states that fail to set their own requirements. **Status:** A final rule released Dec. 1, 1992 has been challenged by environmentalists. Forest Products Association filed suit April 5. Contact: David Sabock (202) 260-1318.

GREAT LAKES GUIDANCE: EPA strategy to control toxic pollutants in Great Lakes which could lay the groundwork for a similar national strategy. **Status:** EPA Administrator Carol Browner signed the guidance March 30. Contact: James Hanlon (202) 260-5400.

CONGRESSIONAL ACTION — WATER

Drinking Water

Rep. Solomon (R-NY) introduced H.R. 376, which would freeze certain drinking water regulations under the Safe Drinking Water Act. Sen. Nickles (R-OK) introduced S. 767 that would include risk and cost issues in setting standards. Rep. Henry Waxman (D-CA) introduced H.R. 1701 to create a revolving loan fund.

Federal Facilities

Rep. Schaefer (R-CO) introduced H.R. 340 that would bring federal facilities in line with Clean Water Act requirements.

Funding/State Revolving Fund

Reps. DeLauro (D-CT) and Lowey's (D-NY) H.R. 775 would provide \$3 billion in emergency funds to the SRF, but would require states to allocate 40 percent of funds within the first six months or lose remaining monies.

S. 350 by Sens. Kerrey (D-MA) and Kennedy (D-MA), and H.R. 845 by Rep. Markey (D-MA) would provide \$1 billion over five years for Boston Harbor cleanup.

Rep. Rahall (D-WV) introduced H.R. 1544 that would reauthorize SRF at \$4 billion per year by 1999, setting aside 25 percent for small communities.

Outer Continental Shelf

Florida lawmakers Rep. Goss (D) and Sen. Mack (R) are

seeking tough curbs on oil drilling and leases in ecologically sensitive areas of the coast their state in H.R. 583 and H.R. 584 and S. 290. But Sen. Johnston's (D-LA) S. 318 would encourage deep water drilling for natural gas in the Gulf coast. Rep. Fields (R-TX) introduced H.R. 1282 that aims to enhance energy security by promoting oil and gas exploration.

U.S.-Mexico Border

Sen. McCain (R-AZ) introduced a bill S. 281 that would give EPA a greater role in water pollution emergencies and create a \$10 million emergency fund for environmental protection.

Wetlands

Rep. Edwards (D-CA) introduced H.R. 350 to expand section 404 protections. Rep. Hayes (D-LA) re-introduced H.R. 1330, that would establish three categories of wetlands based on their value and function and would allow landowners to seek market value compensation for certain wetlands.

Estuaries

Rep. Lowey (D-NY) introduced H.R. 1720 to provide special funding for implementation of national estuary conservation plans.

Toxics & Pesticides Legislation

REREGISTRATION — Legislation needed to offset funding shortfall, sources say

A shortfall in funds needed to administer EPA's pesticide reregistration program is prompting agency sources to call for additional fees on registrants, a request that industry sources say will likely require new legislation.

These sources say fee provisions included in the 1988 Federal Insecticide, Fungicide & Rodenticide Act amendments do not allow for any fees in excess of the maximum level of \$14 million per year.

EPA and the pesticide industry reached agreement in October 1991 to hike the fees paid by registrants, a move allowing the agency to reach the \$14 million per year level authorized under FIFRA. At that time, EPA indicated this level of funding would not be adequate to meet an estimated \$20-30 million shortfall in the reregistration program.

Agency sources say the funding woes have not eased. Acting EPA Office of Prevention, Pesticides & Toxic Substances chief Victor Kimm in an April 29 speech to the National Agricultural Chemicals Association called for industry's cooperation in addressing the deficit. "We will be talking about a fee increase to keep reregistration as close to the mandated schedule as possible," Kimm said. Another EPA source says that the cooperation of industry is absolutely essential to secure legislation raising the fees. "The fact is, without industry's strong support we are nowhere with new fees" this source says.

Industry sources say they recognize the need to increase reregistration fees and welcome the chance to assist EPA in developing the necessary legislative proposal. But these sources maintain that many small chemical producers could be hurt if the agency does not pay attention to their special needs. These sources note that the previous legislation protected small companies, but add that EPA's \$20-30 million estimate will likely frighten many small companies.

One industry source says large companies "will not be thrilled about subsidizing the smaller guys." But several

industry sources, noting that they would like to see reregistration stay on schedule, say it will not be difficult to reach agreement, pointing out the real obstacle will be getting a piece of legislation through Congress. These sources say while development of any fee increase will coincide with the drafting of comprehensive food safety legislation, that type of bill could get bogged down, and they add that EPA may not want to wait for passage of such a measure to deal with the fees issue.

MINOR USE — Bill seeks to preserve pesticides for public health

Two California congressmen have introduced a bill aimed at maintaining the registrations for certain minor use pesticides used to fight mosquitos and other disease-carrying pests.

Reps. Cal Dooley (D-CA) and Wally Herger (R-CA) April 27 introduced H.R. 1867, the Public Health Pesticides Protection Act.

"Because of regulations affecting the registration of pesticides, public health officials are in danger of losing access to many of the tools they use for the public good," Dooley said. "We take for granted that malaria and other diseases aren't common, but the fight against them is constant. This legislation seeks to ensure that the public remains protected."

The bill was introduced in the 102nd Congress, but not acted on, according to a Dooley aide. But the two lawmakers believe that the bill will be folded into an overall reauthorization of the Federal Insecticide, Fungicide & Rodenticide Act (FIFRA) during this Congress, the aide added. The Clinton administration will help craft food safety legislation, which will likely involve overall FIFRA reform.

Dooley's bill would require EPA to set risk-benefit guidelines that take into consideration the need for pesticides for public health use and the benefits of such benefits. It also would halve the financial requirement that manufacturers face to reregister public health pesticides.

Toxics & Pesticides Regulation

DELANEY CLAUSE — EPA revokes and denies pesticide emergency exemptions

Working under a court-ordered strict interpretation of a food safety law, EPA, the Food & Drug Administration and the U.S. Department of Agriculture announced May 6 that they were revoking and denying 21 emergency exemptions for pesticide uses across the United States at a potential cost of \$70 million to farmers.

But questions of resolving the complicated issue of pesticides and food safety has been accorded high priority in the White House, having recently been elevated to the Domestic Policy Council. The Clinton administration may also establish a formal inter-agency task force that has already been meeting informally to help draft legislation.

The revocation, and the Clinton administration's intent to craft food safety legislation, may break the logjam in Congress over this contentious issue, sources say. However, they caution that many hurdles remain and that it will take strong administration leadership to bring all sides to the negotiating table.

The administration's decision to revoke and deny the emergency exemptions is the first major fallout from the Ninth Circuit Court of Appeal's decision in *Les v. EPA* that upheld the strict interpretation of the Federal Food, Drug & Cosmetic Act's Delaney Clause, which bans cancer-causing pesticide residues in processed foods.

"We continue to believe that the pesticides affected by the Court decision, including those EPA is acting on today, pose only a negligible risk to public health," said EPA Administrator Carol Browner. "...[T]his new policy highlights the need for new legislation that addresses food safety. The Clinton administration will work with Congress and other interested parties to develop a proposal."

Sen. Patrick Leahy (D-VT), chairman of the Agriculture Committee said, "The actions taken by EPA today make it clear that we must reform our pesticide regulatory laws and make them work for consumers and farmers." Leahy added that the

government must do more to provide farmers with alternatives to chemical pesticides, and called for greater research in that area.

States to feel pinch

Fifteen states will be affected by the decision, which covers various crops ranging from tomatoes to rice. Hops growers will be especially hard-hit because there is no viable alternative to the pesticide that was used on the crop, an important ingredient in beer. Oregon, a state with a major hops industry, is facing a \$5 million to \$8 million loss this year, an aide to Sen. Mark Hatfield (R-OR) said.

In most cases, there are alternative pesticides that can replace the section 18 ones, however some of them are more expensive and less effective, placing a greater economic burden on growers.

Toxics & Pesticides Litigation

ENFORCEMENT — 3M claims statute of limitations applies to administrative cases

A major manufacturing company is arguing before a federal appeals court that the company is protected from Toxic Substances Control Act administrative penalties by a five-year statute of limitations, despite an EPA decision to the contrary. Sources say the case could have implications for administrative enforcement under all environmental laws.

3M Company is challenging a 1992 decision by EPA's Environmental Appeals Board that the company is liable for TSCA violations committed more than five years prior to an administrative enforcement action filed in 1988. In a May 3 brief to the U.S. Court of Appeals for the District of Columbia Circuit, 3M says EPA "ignores the broad language" of the law. The statute in question, section 2462 of chapter 28 of the United States Code, prohibits "an action, suit, or proceeding for the enforcement of any civil fine, penalty, or forfeiture, pecuniary or otherwise . . . unless commenced within five years from the date when the claim first accrued."

EPA on Sept. 3, 1988, cited 3M for illegally importing chemicals without filing "premanufacture notification" to the agency, infractions 3M itself reported. The company asserted protection from violations committed before September 1983, but in 1989 an administrative law judge ruled that the statute of limitations does not apply in administrative proceedings under TSCA. The chief judicial officer for former EPA Administrator William Reilly upheld the determination in February 1992 and increased the fine to over \$130,000, whereupon 3M appealed to the DC Circuit.

PCBs — Appeals board to examine case after judge invalidates EPA's testing mandate

EPA's Environmental Appeals Board is poised to decide a case questioning the agency's methods for determining polychlorinated biphenyl (PCB) contamination levels in hazardous waste. The move comes a month after an administrative law judge summarily dismissed charges against three waste-handling companies on the grounds that EPA used a nonexistent "requirement" and denied due process and fair warning in citing the companies for violations of Toxic Substances Control Act regulations, a decision that sources say may have implications beyond TSCA.

Administrative Law Judge John G. Lotis signed an order April 26, certifying for interlocutory appeal the record from the case. The Environmental Appeals Board has 30 days from the date of the order to decide to act on the appeal; the appeals board is not required to accept additional arguments. Sources involved in the case say they expect the board to consider the appeal.

Several sources involved in the case say the decision, if upheld by the appeals board, would be applicable to similar disputes under other environmental statutes. One source says there is precedent for blocking EPA enforcement actions for denial of fair warning or due process. On the issue of stated agency policy versus regulatory language, a source in EPA's Office of General Counsel says it is "not unlikely" other regulations have had "inadvertent omissions," but the source could not specify any other instance.

The case concerns 260 of the 500 loads of waste from the General Motors foundry in Massena, NY, allegedly disposed illegally in Model City, NY, by CWM Chemical Services, Inc., Chemical Waste Management, Inc., and Waste Management, Inc., between Feb. 2, 1984, and Oct. 20, 1987. Action on the remaining 240 loads, handled before June 25, 1986, has been stayed pending a federal court ruling on the applicability of a five-year statute of limitations to TSCA administrative enforcement actions (see related story). EPA seeks a total fine of \$7.075 million, \$3.425 million of which is for the 260 waste loads currently in question.

Also stayed pending a decision on the statute of limitations are similar administrative cases involving waste from the GM Massena facility against GM and against Browning-Ferris Industries, another waste handler.

RIGHT-TO-KNOW — Environmentalists challenge alleged 'loophole' in reporting law

An environmental group in California says it will sue EPA, the state and the nation's largest walnut processor for refusing to make public the company's toxic release inventory, in hopes of closing an alleged legal "loophole." The company says it is in compliance with all EPA requirements, and calls the threatened lawsuit merely a bargaining ploy in a long-running labor dispute.

The National Toxics Campaign Fund on April 7 filed a 60-day notice of intent to sue Diamond Walnut Growers, Inc., of Stockton, CA, alleging violations of the Emergency Planning & Community Right-to-Know Act. The Toxics Campaign claims the agricultural cooperative illegally neglected its legal obligation to file inventories of toxic-chemical releases with the state of California. The environmental group believes Diamond uses more than 60,000 lbs.

of methyl bromide, a Category I toxin, and at least 75,000 lbs. of propylene oxide, a known carcinogen, to process walnuts each year, well above the 10,000-lb. threshold level for reporting.

But Diamond contends it is a food packager, rather than a food producer, thus exempting it from mandatory reporting requirements. NTCF counters that, according to California Manufacturers Association records, the plant's "Standard Industrial Classification" makes it subject to reporting requirements.

CONGRESSIONAL ACTION — TOXICS & PESTICIDES

Pesticides

Sen. Kennedy (D-MA) and Rep. Waxman (D-CA) reintroduced measures — **S. 331** and **H.R. 872** — that would set stringent pesticide standards without consideration of economic benefits.

EPA could set a "negligible risk" standard for potentially cancer-causing pesticide residues under **H.R. 1627**, offered by Reps. Bliley (R-VA), Lehman (D-CA) and Rowland (D-GA).

Minor Use

The registration of minor use pesticides would be maintained and promoted under **H.R. 967**, introduced by Rep. de la Garza (D-TX).

FIFRA Reauthorization

H.R. 968 is designed to serve as the Agriculture Committee's principal markup vehicle for consideration of more detailed legislation to reform FIFRA, according to Rep. de la Garza (D-TX), who sponsored the bill.

Lead

Rep. Morella (R-MD) introduced a bill, **H.R. 1419**, that would establish research and evaluation programs to lower exposure to lead in housing.

S. 729, introduced by Sen. Reid (D-NV), would restrict the use of lead in some products, require labels on lead products and provide \$54 million to states for inspecting schools for lead hazards.

TOXICS & PESTICIDES REGULATIONS — Status in Brief

Status lines in bold indicate new developments

EXPERIMENTAL USE PERMITS:

Two experimental use permit regulations, a new one under TSCA and a revised version under FIFRA are under development. **Status:** EPA released proposal for FIFRA biotechnology Jan. 15. Contact: FIFRA — Fred Betz (703) 305-7635; TSCA — Ron Evans (202) 260-3856.

TRANSPORTATION, STORAGE & DISPOSAL:

EPA is gathering data to develop option papers for a new strategy governing transportation, storage and disposal of pesticides. **Status:** A regulatory package for pesticide containers is in final agency review. Contact: Janice Jensen (703) 305-7706.

DELANEY CLAUSE/FOOD ADDITIVES:

Court ruled that EPA cannot allow cancer-causing residues on processed

foods. **Status:** EPA released a list of 35 pesticides that could be suspended under Delaney Clause. Contact: Debbie Cisco (703) 305-7102 or Chris Gillis (703) 305-7097.

LEAD STRATEGY:

TSCA portion of agency-wide strategy would focus on restricting volume of lead currently used and newly mined. **Status:** EPA considering expansion of lead rules to industrial lead paint and other industrial uses. Contact: Doreen Cantor (202) 260-1777.

TOXICS REPORTING:

EPA is planning to issue guidance to limit the number of chemical releases that companies must report. **Status:** EPA hopes to complete guidance in early 1993.

PESTICIDAL PLANTS:

EPA is crafting

a policy describing which genetically manipulated plants will come under agency review. **Status:** EPA released draft policy Nov. 20, 1992.

ENDANGERED SPECIES PROTECTION PROGRAM:

EPA is close to sending a final rule to OMB that would protect endangered species from pesticides. The plan calls for county bulletins showing where endangered species live and for listing pesticide use restrictions for the area. **Status:** EPA hopes to release the rule by the end of the year. Contact: Larry Turner (703) 305-5007.

RECORDKEEPING:

EPA released a rule April 9 that requires private pesticide applicators to keep records on the types and amounts of pesticides used, and the places where used.

Special Report: EPA Cabinet-Level Elevation

After extensive debate, the Senate approved a bill elevating EPA to a Cabinet-level department April 28, but observers who had earlier expected quick congressional passage of the legislation now say it could be some time before the House passes its version of the bill. A House bill is expected to be introduced soon that will include provisions to reform agency contract and information management and boost the role of environmental justice, but that bill may be referred to other committees. This Special Report covers the bill passed by the Senate and developments in the House.

DEPARTMENTAL EPA — Senate bill passes, putting pressure on House

The Senate last week cleared an EPA Cabinet-elevation bill after attaching several amendments, putting pressure on the House to produce a companion bill. At press time several EPA sources feared the House effort might be seriously slowed by what they view as onerous contracting measures and other extraneous provisions in draft House language.

The Senate voted 79-15 on May 4 to approve S. 171, sponsored by Senate Governmental Affairs Committee Chairman John Glenn (D-OH). Elevation of EPA to Cabinet-level status is one of the primary environmental goals of the Clinton administration, which has backed the Senate bill. The legislation — originally labeled the Department of the Environment bill — was amended by Sen. William Roth (R-DE) to change the name to Department of Environmental Protection.

The sole Democrat voting against the bill, Sen. Robert Kerrey (NE), argued that creating another Cabinet-level department ran counter to efforts to restructure government and streamline the “growing bureaucracy.” In a statement submitted for the record, Kerrey said that although he supported strong environmental protection, “Before we say yes to a new federal Cabinet position, we need to say yes to the destruction of a few.” Kerrey also spoke of the burdensome effect regulations have on states and local communities, the problems with EPA contract management and the high cost of the Superfund program as areas of concern.

Among the Republicans voting against the bill were Robert Bennett (UT), Larry Craig (ID), John Danforth (MO), Phil Gramm (TX), Orrin Hatch (UT), Jesse Helms (NC), Dirk Kempthorne (ID), Frank Murkowski (AK), Don Nickles (OK), Larry Pressler (SD), Alan Simpson (WY), Robert Smith (NH), Strom Thurmond (SC), and Malcolm Wallop (WY).

EPA Administrator Carol Browner commended the Senate for its vote and expressed hope that the House “will soon follow suit.” Although the House Government Operations Committee is moving toward formal consideration of EPA Cabinet-elevation legislation, some sources have expressed concern the bill may seek to address too many issues and get bogged down in details. Two Government Operations subcommittees held a joint hearing on elevation on May 6 and sources said committee members were waiting to hear Browner testify before pro-

ducing a bill (see related story). House Government Operations environment, energy & natural resources subcommittee Chairman Mike Synar (D-OK) is taking the lead on crafting the bill with Committee Chairman John Conyers (D-MI), who also heads up the legislation & national security subcommittee.

Earlier in this session, House Government Operations Committee Ranking Republican William Clinger (PA) introduced a so-called “clean” bill that would simply elevate EPA without adding any other provision. The clean approach was rejected by the Senate, which tabled a straight-up bill by Roth in favor of Glenn’s bill. It is not yet known how the passage of the Glenn bill will affect events in the House. One House staffer says “a number of Republicans will push for a clean bill,” adding that some Republicans are opposed to elevating the agency.

RISK ASSESSMENT — Amendment to Senate bill could bog down regulatory process

EPA risk experts fear that an amendment attached to the just-passed Senate EPA Cabinet-elevation legislation requiring risk assessments for agency regulations could unnecessarily slow the regulatory process by triggering time-consuming debates on what they say is an inexact science. Industry sources welcomed the bill.

The amendment — offered by Sen. J. Bennett Johnston (D-LA) and overwhelmingly approved by a 95-3 vote last week — would require EPA to assess the risk to human health or the environment that is intended to be addressed by any new regulation proposed by the agency. The provision would also require the agency to conduct a comparative risk analysis to compare the risks addressed by the regulation “relative to other risks to which the public is exposed.” Supporters of the amendment say the agency has often promulgated costly regulations that address trivial issues and do

not result in significant protection of public health and safety.

However, Rep. Henry Waxman (D-CA) blasted the amendment May 6 at a Government Operations Committee hearing on a House version of a Cabinet-level bill. "As amended the bill would sacrifice vitally important health and environmental protection gains we have achieved for the American public through years of hard-fought battles here in Congress," Waxman said.

An EPA risk expert cautions that the requirement could prove "disruptive." This source contends that Congress already establishes relative risks by passing legislation requiring EPA to promulgate regulations in particular areas. EPA is bound to develop those regulations regardless of how the agency perceives the risk. According to this source, the Johnston amendment could disrupt and slow the regulatory process because the agency would have to "justify something that Congress has already told EPA it has to do." This source predicts that regulatory deadlines will be missed as the agency tackles risk assessment and comparative analyses for every rule it issues, a process that could "tie up EPA in knots."

Because the science surrounding comparative risk assessment is so uncertain and individuals bring personal values into the discussion, the amendment could "mire the [regulatory] process in debate over what [risks are] important," another source cautions, adding that the requirement "gets Congress off the hook" by placing the onus for explaining the need for costly regulations on EPA. In general, this source says comparative risk assessment is good in theory, but too difficult to conduct in practice. "There are a lot of skeptics," this source says, explaining that the science used to assess risks is uncertain, making comparisons between disparate risks — for instance, ozone depletion and hazardous waste — even more difficult.

The need for some sort of risk assessment, however, is recognized by some EPA sources. One source says the agency

"should be authorized to spend some effort to identify what some of the major risks are globally and to do some comparison." This source says the information gained could then be used to determine if required regulations are addressing what EPA considers important issues. But this source adds that risk assessment is difficult to do for specific rules, as required by the Johnston amendment.

An industry source welcomes the idea of requiring a formal risk assessment process, saying the amendment points the agency "in the right direction." But this source expresses disappointment that the provision does not specifically call for an objective process. Although the amendment "implies" objectivity, this source would like to see the requirement spelled out clearly.

ENVIRONMENTAL EQUITY — House Cabinet-level bill strengthens EPA's role

EPA's role in reducing the levels of pollution and environmental hazards found in minority and poor communities would be bolstered under an EPA Cabinet-level bill being drafted in the House. Meanwhile, the Clinton administration, through various federal agencies, is raising the profile of environmental justice.

Currently, Rep. John Conyers (D-MI), chairman of the Government Operations Committee, is drafting legislation to transform EPA into a department-level agency. A major portion of the draft legislation concerns environmental equity and the role EPA should play in fighting the disproportionate burden of pollution on poor and minority areas.

The recently passed Senate version of an EPA Cabinet-level bill, S. 171, contains an environmental equity amendment offered by Sen. Paul Wellstone (D-MN) that is less detailed than provisions being considered in the House bill. The differences between the two bills would be worked out in a conference committee after the House passes its bill.

Under a draft version of Conyers' bill, an Office of Environmental Justice would be created within the EPA administrator's office. This office would be responsible for agencywide strategic planning to ensure equal environmental protection. An advisory board would be established to ensure public participation and oversight of the agency's efforts.

A Department of Environmental Protection would be required to develop data on the relationship between pollution and race, income and geography. The agency would be required to identify "environmentally disadvantaged populations," and the agency would be authorized to operate a grant program for research.

One section of the draft bill requires the environmental agency to enforce Title VI of the Civil Rights Act of 1964 to ensure that departmental programs and policies do not discriminate against minority populations. This provision could cause the bill to be referred to the Judiciary Committee, possibly slowing passage of the bill. The legislation also targets enforce-

ment actions to protect environmentally disadvantaged populations with the greatest need for environmental protection services.

The bill would increase citizen participation through small technical assistance grants to community groups and by providing citizens with the right to petition for environmental studies in their neighborhoods.

These provisions are "absolutely essential," EPA Administrator Carol Browner said at a Government Operations Committee hearing last week. "It's part and parcel of how we'll do our job."

Administration raises profile of environmental equity

Browner has made environmental justice a priority issue for EPA, telling the House Government Operations Committee May 6 that she has already established an interagency group to address environmental justice issues across the federal government. In testimony before Conyers' committee May 6, Browner

said, "Environmental justice must be considered a shared responsibility in the actions of all federal agencies and ultimately at the state, local, and tribal government level."

EPA is working closely with the Department of Justice to evaluate poor and minority areas using a database formed by DOJ's Civil Rights Division, Browner said. In addition, the agencies are looking at ongoing litigation in which environmental justice goals can be implemented, Browner added. EPA

and DOJ are exploring a possible agreement so that DOJ's Community Relations Service could provide outreach, conciliation, and mediation to communities affected by sources of pollution or contamination where racial concerns are involved, Browner said.

Browner also told the committee that she was committed to making EPA staff more culturally and racially diverse.

NEPA — Clinton administration seeks to strengthen overseas application

Under direct orders from President Clinton, administration officials have begun reviewing the application of U.S. environmental policy to overseas projects, in an effort to tighten significant loopholes in a policy originally developed under President Jimmy Carter.

State Department sources say that Secretary of State Warren Christopher supports strengthening the policy on when U.S. environmental standards should apply overseas, which is being reviewed in accordance with Presidential Review Directive No. 23. "Christopher has recommended that we should strengthen the [policy] and we are now looking at ways to do that," according to one senior State Department official.

New executive order

If the policy is strengthened, President Clinton will soon sign an executive order to replace E.O. 12114, signed by President Carter in 1979, that would ensure stricter implementation by federal agencies of U.S. environmental rules at overseas projects, requiring them to conduct environmental impact statements for a broad range of activities abroad. The effect of such a change, sources say, could lead to increased awareness of the environmental impact of civilian and military projects conducted by federal agencies overseas.

A senior State Department source acknowledged that until now, the Carter executive order has been applied "inadequately and, frankly, not enforced." The reason, he said, was the significant loophole which allowed agencies not to conduct environmental impact statements if a foreign government played any role in the decision. Since foreign governments usually are partners in these decisions, he said, "almost every project was exempt from the policy."

In addition, he said, administration officials are reviewing provisions that preclude the environmental impact statements from judicial review. Environmentalists say that this is one of the biggest loopholes in the policy, and want to see it closed.

However, State Department officials say that more difficult questions remain about whether the new executive order should expand judicial review authority over the environmental assessments. "If this goes too far, any foreign action could engender a lawsuit to stop activity," the same source said.

Environmentalists and state department officials concede that this is a big change from the Bush administration, which continually blocked efforts to review the policy and threatened to veto legislation that did not include the loopholes. "We tried under Bush to review [this policy] but we were continually stymied. Now we're taking another view, but this time we're looking to see how we can strengthen the policy," the official said.

The review is part of an effort begun by administration officials shortly after they took office, in an effort to determine whether they should appeal a decision by the U.S. Court of

Appeals for the District of Columbia in *Environmental Defense Fund v. Massey*. The court ruled that provisions in the National Environmental Policy Act, or NEPA, that require government agencies to conduct Environmental Impact Statements, did apply to government activities in Antarctica. The court ruled that the doctrine of extraterritoriality does not exempt government agencies from conducting environmental assessments before incinerating food waste in Antarctica. The administration ultimately decided not to appeal the decision.

Environmentalists who filed the suit welcomed the decision not to appeal the case to the Supreme Court, but urged the administration to strengthen the policy's application, arguing that U.S. projects and actions around the world, not just in Antarctica, should be governed by NEPA.

Decision sparks disagreements

However, the decision not to appeal sparked disagreement between agencies centered on how broadly the decisions should be interpreted, or whether the decision could be limited to Antarctica. The Justice Department statement noted that the administration "does not embrace language in the opinion which may be interpreted to extend beyond this holding." A State Department official warned that if the decision in *Massey* was "taken literally, it could interfere with a great many military activities."

The disagreement is both within and between federal agencies and among executive branch officials, according to sources. The departments of State, Defense and Justice favored limiting the application — because of concerns that it would impede U.S. activities abroad — while Vice President Gore, EPA, NOAA and the Council on Environmental Quality favored strengthening the order. The environmentalist noted that even within the State Department there was disagreement: Assistant Secretary of State Curtis Boehlen advised Christopher not to appeal the decision, while the Office of Legal Counsel called for an appeal. Christopher eventually sided with the legal counsel, but called for a review of the executive order.

EPA REFORM — Browner launches task forces to review EPA policy, operations

EPA Administrator Carol Browner has launched 10 broad-based task forces within EPA to make recommendations for reform on a host of issues from financial and management concerns to improving the use of science and protecting ecosystems, agency sources say.

According to EPA staff, Browner has invited broad agency participation on 10 separate task forces intended to review EPA operations and integrate Browner's five main themes into agency programs. Sources say the 10 task forces are divided into five issue areas — quality science, environmental equity, environmental technology, ecosystem protection and pollution prevention — and five "process" areas focusing on management issues — "base budget" review, financial management, human resource development, regulatory and permitting reform and intergovernmental partnerships. One agency staffer explains that the results of the task force review will feed into the "national performance review" being led by Vice President Gore to improve government operations generally.

The task forces represent Browner's effort to get "bottom-to-top input" from agency staff on how to improve operations, an EPA source says. This source explains that Browner is expressly inviting staff that are not senior managers or even experts in the various fields to raise suggestions for improving the agency's performance. Several sources describe the task forces as a more "vertically-oriented" approach than EPA has previously employed, reaching a much broader spectrum of EPA staff than other agency reviews.

An agency source says the task forces are a way "to reach out to some people who haven't been part of the institutional structure" addressing the various issues, in hopes they will "come up with ideas and implementation strategies the rest of us haven't thought of yet." This source adds EPA is "trying to get away from" task forces comprised only of top-grade government staff.

Several EPA sources say the task forces are still being organized, and there is still some question as to how members will be chosen and how the groups will be chaired. This source adds that EPA wants to ensure confidentiality for staff who may raise concerns about management of various programs, but that Browner has not yet set out ground rules to ensure secrecy. An agency source says that the process area task forces, in order to contribute to the national performance review, will likely have to complete their work within three months to fit into Gore's six-month timeline. An EPA source says this will require participants "to be fairly active," devoting perhaps as much as 20 percent of their work hours to the task forces.

NAFTA — U.S. proposal for panel is silent on dispute resolution mechanism

The Clinton administration has drafted confidential proposals to establish an independent commission — part of a side agreement to supplement the North American Free Trade Agreement — to investigate allegations of violations brought by the public. But the proposals fail to address the key questions of how lax enforcement or egregious practices, once discovered and verified, would be remedied, whether failure to comply could ultimately lead to the imposition of trade sanctions, or how this commission and related efforts would be funded.

Seven U.S. environmental groups said they could support a North American Free Trade Agreement even if a collateral environmental commission is not given the power to directly sanction polluters or issue subpoenas as part of its investigations.

While the U.S. proposals would not grant the proposed regional environmental bodies the ability to subpoena information independently, the panel would be allowed to pursue access to facilities and information "with the consent of the country where the facilities/data are located," according to a copy of the administration's draft. Moreover, the proposal calls for the NAFTA countries to commit in the accords to cooperate with commission inquiries "by responding in good faith to its recommendations and requests for information."

But the question of how disputes would be settled is left silent in the environmental text. The U.S. proposal only notes that the commission, in its role as aiding to resolve environment-related trade disputes arising under the NAFTA, could serve as a "forum for early consultation regarding potential NAFTA dispute settlement cases" and could provide experts to give advice to NAFTA dispute settlement panels.

It indicates that reports, findings and conclusions reached by the environmental secretariat could be unanimously rejected by the executive committee, but does not address how such information, if approved by the executive committee, would relate to the eventual triggering of a dispute settlement effort.

U.S. negotiators led by Deputy U.S. Trade Representative Rufus Yerxa presented the papers to their Mexican and Canadian counterparts during the second round of talks on the so-called NAFTA side accords, held April 13-15 in Mexico City. The proposals were generated based on discussions by the National Economic Council of options contained in an early March NEC options paper. A third round of trilateral talks starts today in Canada, beginning with efforts by lower-level negotiators to patch together a consolidated draft legal text that would contain brackets indicating differing positions between the parties.

ENERGY TAX — Hundreds of groups join to flight 'anti-competitive' Btu tax

More than 900 groups representing manufacturing, construction, transportation, agricultural, utility, business and state interests have joined together in opposition to the Clinton administration's proposed British thermal unit (Btu) tax on energy use. The coalition says the proposed tax could put 600,000 Americans out of work by 1998, hinder economic growth and increase consumer prices, though late reports indicate the White House will soften its plan.

The Affordable Energy Alliance, formed May 5, says the Btu tax is "heavily centered on industrial production," contrary to claims by the administration that it is merely a tax on consumption. "Because manufacturing depends so much on the energy that turns the motors and keeps production running, industrial production would be hit about 30 percent harder than the economy as a whole," National Association of Manufacturers President Jerry Jasinowski said. NAM is coordinating the effort.

The alliance says the tax is biased against interests in the South and West, despite Clinton administration claims that a Btu levy is the most geographically equitable form of energy tax. Jasinowski added that the proposed tax also "condemns many of our exporting companies to second-rate competitive status in the world," as foreign manufacturers would not be subject to the same costs.

A NAM spokesperson says the alliance is aimed solely at defeating any Btu tax proposal put before Congress, and currently is not developing an alternative plan. The Department of the Treasury offered a revised Btu tax April 1, pushing the collection point further downstream, toward the end user, but the NAM spokesperson was not aware of this proposal. Environmental groups blasted the revision at an April 22 congressional hearing (see April 28 issue, p44).

At press time it was reported that the Clinton administration has made further concessions to business, and is willing to place the tax burden directly on consumers, rather than on electric utilities and natural gas producers.

DEPUTY ADMINISTRATOR — Sussman confirmed as EPA's second political appointee

Without objection, the Senate confirmed Robert Sussman as deputy administrator of the EPA May 6, giving Administrator Carol Browner her first political deputy nearly five months after she herself took office. Sussman's confirmation is expected to greatly aid Browner, who has been stretched thin by a pressing schedule of her own, EPA sources said.

"I am pleased to have Bob Sussman join me on EPA's senior management team," Browner said in a statement May 7. "The agency will benefit immensely from the magnitude of his talents and environmental experience as we move forward in building consensus, improving regulatory performance and integrating pollution prevention into all aspects of our policy-making and management-efficiency efforts."

Sussman, a former chemical industry attorney who has worked in Washington for almost 20 years, should be able to help Browner negotiate tricky political compromises between environmentalists, industry groups, EPA and Congress, congressional sources say. The chairman of the Senate Environment & Public Works, Sen. Max Baucus (D-MT) said during Sussman's confirmation hearing April 28 that, "The public expects you to help break the gridlock that has impeded the formulation of solutions to our nation's problems."

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CONGRESSIONAL MONITOR



Friday, May 7, 1993

Volume 29, Number 77

News From the Hill

SENATE FLOOR: Lobby disclosure measure passes.

The Senate passed, 95-2, legislation that would place new requirements on those who are paid to lobby the federal government.

The bill (S 349) would replace existing disclosure laws with a single statute to cover paid lobbying of Congress and the executive branch by both foreign and domestic lobbyists.

Currently, there is no disclosure requirement for lobbying White House or other executive branch officials or congressional staff. The measure seeks to close these and other loopholes.

Voter Registration. The Senate began consideration of the conference report to HR 2, the so-called motor-voter bill.

The measure would require states to allow citizens to register to vote at the same time that they apply for a driver's license. It also would require states to provide for registration through the mail and at certain public assistance agencies, such as state offices where welfare checks are distributed.

The House agreed to the conference report on Wednesday.

Senators will return to the conference report today, but for debate only. A vote to end debate is expected next week.

HOUSE FLOOR: Technology bill debated; final votes next week.

The House continued work yesterday

on a measure (HR 820) that would authorize funds for government programs designed to improve the global competitiveness of U.S. companies.

But with several amendments still left to be considered, lawmakers put off consideration of the measure until next Wednesday.

Democrats and Republicans are deeply divided over the bill, which embraces President Clinton's call for a partnership between businesses and government to develop emerging technologies.

While Democrats support the measure, GOP members say that government interference in the marketplace is counterproductive.

Republicans offered amendments to scale back the bill, but they were defeated. One by Dana Rohrabacher, R-Calif., which would have eliminated federal subsidies for manufacturing technology centers, was rejected 201-221.

RECONCILIATION: Tax debate on hold; spectrum auction approved.

House committees yesterday continued to work on their portions of a \$343 billion deficit-reduction bill, although Ways and Means panel members put off further work on a package of tax hikes until next week.

• **Medicare COLAs.** The Ways and Means Committee approved, by voice vote, changes to the Medicare program

that will result in \$48.4 billion in savings.

Lawmakers agreed on a package of cuts put together by the Health Subcommittee that would freeze for two years cost of living adjustments (COLAs) for reimbursements to hospitals and physicians. Those changes would achieve \$36.2 billion in savings.

The package also contains a provision to save \$8.4 billion by extending a law that requires Medicare beneficiaries to pay 25 percent of the cost of a doctor's visit.

• **Health Cuts.** The Energy and Commerce Health Subcommittee yesterday came up with \$36.8 billion in savings over five years from the Medicare and Medicaid programs and endorsed a scaled-back version of President Clinton's child immunization initiative. The reconciliation plan was approved by voice vote.

Members came up with \$8.5 billion in savings from Medicaid, which provides health insurance for the poor, and \$28.3 billion in savings from Medicare, the health insurance program for the elderly.

After a heated debate, the panel approved, 17-9, a proposal to tighten laws that enable the elderly to shelter income to qualify for long-term care.

Lawmakers also approved a revised version of Clinton's immunization program, after the White House agreed to changes that would continue to require parents who can afford the immunizations to pay for them. The plan would provide vaccines to poor children and the uninsured.

• **Banking Fees.** State-chartered banks won a reprieve from the Banking Committee yesterday when panel members looked elsewhere for \$1.4 billion in mandated savings.

The Budget Committee instructed the panel to raise the money by charging state-chartered banks for Federal Deposit Insurance Corporation audits.

But committee members decided to raise the money by tapping a number of other sources. The panel voted to use \$200 million in surplus funds from the Federal Reserve.

Lawmakers also agreed to change the way that creditors are repaid after a bank fails. Under a program called "depositor preference," insured depositors will be the first paid back out of the bank insurance fund, followed by uninsured depositors and then general creditors. According to the Congressional Budget Office, the change will save \$750 million.

• **Spectrum Auction.** The Energy and Commerce Committee's Telecommunications Subcommittee met its reconciliation obligations yesterday by agreeing by voice vote to a proposal to raise \$7.2 billion through the auction of government-held radio frequencies.

The proposal would affect only license holders who sell rights to use their frequencies to subscribers, such as companies that sell cellular phones and offer paging services.

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Under the plan, land-based phone companies and broadcasters would not be required to bid for the spectrum.

Mike Synar, D-Okla., and other lawmakers complained to Chairman Edward J. Markey, D-Mass., that the proposal would lead to the deregulation of the cellular phone industry. Roughly 10 states currently institute price controls on the cellular phone market but would be barred from doing so under the proposal.

S&L FUNDS approved by House Banking Committee.

With unanimous support from panel Democrats, the House Banking Committee yesterday voted 35-16 to provide \$18.3 for the savings and loan bailout but stopped short of appropriating \$12 billion for the industry's new insurance fund.

The action was a victory for panel Republicans, who had sought to do away with taxpayer funding of the Savings Association Insurance Fund (SAIF), which will handle the bailout as of Oct. 1.

The money in the bill will pay for the final work of the Resolution Trust Corporation, the primary thrift cleanup agency.

"I hope that this is the last time the committee will ever have to consider funding for the Resolution Trust Corp.," said Chairman Henry B. Gonzalez, D-Texas. "If our figures are correct, enactment of this legislation will end, once and for all, the cleanup of the greatest financial disaster of our time."

The panel also authorized \$16 billion to capitalize SAIF but raised significant hurdles before the money can be appropriated.

The bill stipulates that funds for SAIF can be released only if the Federal Deposit Insurance Corporation certifies that the S&L industry cannot fund SAIF itself without endangering the economic health of thrifts.

The S&L bailout has often flared into a partisan issue, and yesterday's markup was no exception. At one point, Joseph P. Kennedy II, D-Mass., and Toby Roth, R-Wis., got into a shouting match over whether Democrats or Republicans were responsible for the scandal.

In an effort to crack down on unscrupulous S&L operators, the panel approved, 27-22, an amendment that would extend the statute of limitations on civil lawsuits relating to fraud from three to five years.

FY93 SPENDING BILL wins approval of House appropriators.

A number of House Appropriations subcommittees yesterday approved portions of a \$1.1 billion fiscal 1993 supplemental spending bill that President Clinton requested in April.

Clinton said that the money was needed to cover unanticipated funding, such as peacekeeping forces in Somalia.

House Appropriations Committee Chairman William H. Natcher, D-Ky., said he will bring the supplemental spending bill to the full committee next week, and to the House floor the following week.

Natcher said he will seek an open rule on the bill and expects numerous amendments on the House floor. "That's the way we used to work around here. And that's what I plan to do," Natcher said.

The Appropriations chairman also said that any part of the bill that would provide funds for an unauthorized program would have to be removed.

• **Labor, HHS.** The Labor, Health and Human Services, and Education Subcommittee, which Natcher chairs, approved its portion of the supplemental spending bill by voice vote yesterday. The panel voted to provide \$30 million for a vaccine program that is used to pay claims for vaccine-related injuries and deaths.

Members also included \$10 million for the Social Security Administration to process new benefits requests that have resulted from the Coal Industry Retiree Health Benefit Act of 1992. The subcommittee also included \$160 million for Pell grants to accommodate a shortfall of funds in the program during fiscal 1991-93.

• **Treasury, Postal.** The portion of the bill under the jurisdiction of the Treasury, Postal Service and General Government Subcommittee mainly affected accounts in the Executive Office of the President. The panel approved its proposal by voice vote.

The White House had requested \$7.4 million in supplemental funds for the executive office, saying that the funds were needed to pay for the continuing costs of the transition and recruiting and screening White House personnel, for purchasing telecommunications equipment, and for processing the president's mail, which is expected to amount to 10 million letters this year.

The White Office requested that the funding be offset with surplus funds from the Internal Revenue Service and the Office of National Drug Control Policy.

But the subcommittee approved an amendment by Chairman Steny H. Hoyer, D-Md., that would provide \$6.8 million, about \$600,000 less than requested. The amendment also prevented the administration from taking any funds from the IRS. Hoyer said he was concerned that the tax agency would find itself without any money later on in the year.

The amendment allows \$4.7 million of the funds to be transferred from other White House accounts, including the National Space Council and National Critical Materials Council and the drug policy office.

• **Commerce, Justice, State.** By voice vote, the House Appropriations Commerce, Justice, State Subcommittee

yesterday approved two spending options, leaving it to the full committee to decide which to include in the supplemental appropriations bill.

One option contains programs that have been authorized; the second includes unauthorized programs that could be objected to during floor action.

The first plan would provide \$5.5 million to pay federal jurors in criminal cases and \$55 million for the public defenders service, two programs that are about to run out of funds. It also would appropriate \$181 million to continue a loan guarantee program for small businesses under the Small Business Administration.

The second option would provide \$13 million to relocate FBI personnel, \$1 million for the Arms Control and Disarmament Agency, \$9 million for the Federal Communications Commission, and \$400,000 for the Office of the U.S. Trade Representative.

Subcommittee Chairman Neal Smith, D-Iowa, said the panel would ask for a rescission of \$30 million from the Department of Justice's asset forfeiture program, which handles seized assets from convicted felons.

• **Agriculture.** The Agriculture Subcommittee agreed to its portion of the spending bill by voice vote.

Lawmakers approved \$4 million for meat inspections, \$3 million for mammography equipment testing and \$4.5 million to guarantee about \$250 million in rural housing loans.

The panel decided to offset the funding with an \$8.5 million rescission in previously approved spending for the Rural Development Administration.

• **Defense.** The Defense Subcommittee approved its portion of the supplemental spending bill in a closed markup on Wednesday. Committee aides would not release details of the panel's work.

The Clinton administration has requested a \$5 million appropriation for the National Security Education Trust Fund, which was authorized in 1992 for foreign language training for defense and intelligence workers.

CLINTON WILL delay release of health-care plan.

Heeding advice from congressional Democrats, President Clinton announced yesterday that he would wait to send his health-care reform proposal to Congress so that lawmakers could focus on the administration's package of tax hikes and spending cuts.

Congressional leaders are aiming to finish work on a deficit-reduction package in June; the administration had planned to release its health-care proposal by the end of May.

Hill Democrats had lobbied Clinton

to hold back on health-care so that Congress could focus on a deficit-reduction bill that is moving through the House.

"I don't know when we are going to announce it," Clinton told reporters in the Oval Office, but added that it was "critical" that the health-care plan be introduced in time for consideration this year.

Several lawmakers have questioned whether Congress can complete work on such a wide-ranging and complicated measure this year. House Speaker Thomas S. Foley, Wash., said that he did not see a "terrible consequence" if Congress waited until next year to complete action on the bill.

MINING LAW revision, favored by industry, OK'd by Senate Energy.

As expected, the Senate Energy and Natural Resources Committee approved legislation yesterday that would charge miners and mining companies royalties on the minerals they extract from federally owned lands.

The bill (S 775), approved by voice vote, is backed by the mining industry as well as conservative, Western senators.

Introduced by Larry E. Craig, R-Idaho, the legislation would require mining companies to pay royalties equal to 2 percent of the net profit from minerals dug up on public lands. The bill also would force mining companies to purchase the land from the government at market rates, rather than at the reduced rates they are now charged.

The mining industry supports Craig's bill because it differs significantly from the companion House measure (HR 322) and a measure (S 257) introduced by Sen. Dale Bumpers, D-Ark.

HR 322 would charge 8 percent royalties on the gross value of the minerals and would impose environmental restoration standards on the mining companies.

Committee Chairman J. Bennett Johnston, D-La., said he would like Craig's bill to pass the Senate without amendment and then negotiate the differences between the two bills in a House-Senate conference. "This will be our ticket to a conference committee," Johnston said.

He said he would try to appoint an equal number of supporters and critics of the mining law to the conference and that he would act as an arbiter.

EDUCATION MEASURE moves through House subcommittee.

Legislation proposed by the Clinton administration to help improve the nation's education system was approved, 17-9, by a House Education and Labor subcommittee.

The measure (HR 1804), approved by the Elementary, Secondary and Vocational Education Subcommittee, would

establish six national education goals to be achieved by the year 2000.

The bill would also authorize \$393 million in fiscal 1994, most of which would be used to make grants to states to help improve their secondary and elementary schools.

Under the bill, each state would develop its own set of educational standards, but the standards would have to address the issues raised in the national goals. States would also have to write "opportunity to learn" standards, which would detail what schools needs to provide to students to help them meet the national goals. These standards could include items such as competent teachers, modern textbooks and a safe environment.

The opportunity-to-learn standards are more important to panel Democrats than Republicans. As a result, the panel reached an agreement that the Democrats would not offer controversial amendments to the bill if the Republicans did not challenge the standards.

But John F. Reed, D-R.I., offered an amendment, approved 17-7, that would require state education officials to offer a plan on what they would do if they failed to meet the opportunity-to-learn standards. Republicans objected, saying that the amendment would actually force the states to meet these standards. Steve Gunderson, R-Wis., called it a "deal-breaking amendment."

Panel members then agreed to work on the amendment to make it more palatable to the Republicans before the full committee markup, which could be held May 19.

RELIGIOUS FREEDOM bill approved by Judiciary.

The Senate Judiciary Committee yesterday approved, 15-1, a bill that aims to limit state government interference with religious practices.

The measure (S 578) was crafted in response to *Employment Division v. Smith*, a 1990 Supreme Court decision that gave states new powers to enact laws that restrict religious practices. Under that ruling, states could pass laws that bar certain religious practices as long as the laws had a valid purpose and were not intended to inhibit religious freedom.

S 578 would require that a state show a "compelling state interest" in enacting a law, the standard that was in place before the Supreme Court ruling.

The panel also approved, by voice vote, legislation (S 409) that would extend a number of design patents, such as labels used by community groups.

By a 12-3 vote, members agreed to substitute language by Carol Moseley-Braun, D-Ill., that removed reauthorization of a design used by the United Daughters of the Confederacy.

The design includes a Confederate flag, which Moseley-Braun said was inflammatory and insensitive to the suffering of black people under Confederate rule.

Strom Thurmond, R-S.C., argued against the blocking the reauthorization, saying the design had been reauthorized numerous times by the Senate and that the group has done charitable work for decades.

LAND TRANSFER measures win subcommittee approval.

A House Natural Resources panel gave voice vote approval to a measure that would distribute 14,000 acres of Interior Department land in Colorado.

The National Parks, Forests and Public Lands Subcommittee approved the bill (HR 1134), which would transfer the land to the U.S. Forest Service, the state of Colorado, the county of Clear Creek and the towns of Silver Plume and Georgetown in Colorado.

Part of the land transferred to the county could be sold off, with the profits shared between the county and the federal government.

This transfer is intended to reduce the Interior Department's land management costs and provide revenue.

The panel also approved, by voice vote, a measure (HR 1183) that would validate the transfer of certain lands held by the Central Pacific Railway Company in California. The railway has since turned over the lands to private citizens, and the bill would make this transfer official.

An amendment approved by voice vote would retain U.S. ownership of any minerals on the lands but would bar mineral exploration and development.

EPA ELEVATION faces some difficulty in House.

Influential House members yesterday said they were concerned about reports of contract abuse and lax management of outside contractors by the Environmental Protection Agency, and they suggested that legislation to elevate the agency to a federal department may proceed more slowly than in the Senate.

Energy and Commerce Committee Chairman John D. Dingell, D-Mich., told a joint hearing of two House Government Operations subcommittees that he was concerned about reports from the General Accounting Office and EPA's inspector general that cite problems in management at the agency and questionable expenditures by outside contractors, many of whom are hired for work related to the "superfund" hazardous-waste cleanup program.

"I'm not here to plead for elevation of the agency," Dingell said.

Mike Synar, D-Okla., the chairman

of Government Operations' Environment Subcommittee, said he too was troubled by reports of contracting abuse and loose management.

EPA's new administrator, Carol M. Browner, told members of Synar's panel and the Legislation and National Security Subcommittee that she supports provisions in the Senate bill and in a draft bill by John Conyers Jr., D-Mich., to strengthen contractor oversight and limit the amount of work done by outside contractors, especially if the work is considered an "inherently governmental function," such as auditing.

The Senate this week passed a bill (S 171) that would elevate the agency to Cabinet-level status.

SUPER COLLIDER delay could add \$2 billion to project's tab.

Energy Secretary Hazel O'Leary told the House Interior Appropriations Subcommittee yesterday that the administration's proposal to stretch out the construction schedule for the superconducting super collider by three years may add nearly \$2 billion to the project's total cost.

Nevertheless, she said, the Clinton administration remains committed to the Texas-based atom smasher, which may now cost more than \$10 billion.

Under President Clinton's recent budget request, the super collider would not be completed until 2002. Clinton has requested \$640 million for fiscal 1994 for the collider, less than President Bush's \$859 million planned expenditure.

"This administration's position . . . is to go forward with the superconducting super collider, but not at the same aggressive rate that it went forward under the previous administration," O'Leary said.

Panel member Ron Packard, R-Calif., warned O'Leary that unless the administration showed more enthusiasm for the super collider, the project faced a very "bumpy ride" through Congress.

The House last year voted to kill the

project but after intense lobbying by the Bush White House, the Senate restored the funds. House opponents did not press the issue but may challenge the Senate this year.

Super collider supporters argue that the project is essential for the United States to remain a leader in the field of high energy physics. They add that 7,000 jobs would be lost if the project were canceled.

But critics say that each job the project creates costs \$80,000 and that the collider has been plagued with cost overruns and mismanagement.

BENTSEN CRITICIZED for curbing Waco remarks by ATF chief.

Treasury Secretary Lloyd Bentsen came under criticism yesterday during a Senate Appropriations subcommittee hearing for placing restraints on the public comments that Alcohol, Tobacco and Firearms (ATF) Director Stephen E. Higgins could make about the operation at the Waco, Texas compound of cult leader David Koresh.

Bentsen was appearing before the Treasury, Postal Service and General Government Subcommittee on the Treasury Department's \$10.3 billion fiscal 1994 budget.

Panel members, who met privately with Higgins on Wednesday, asked Bentsen whether he had placed a "gag order" on Higgins barring him from discussing the Feb. 28 raid on the Branch Davidian compound that led to four ATF agents being killed. A government operation to end the 51-day siege at the compound resulted in the deaths of more than 80 of the cult members on April 19.

Bentsen said that Higgins was not under a gag order but did have some restrictions on what he could say in public.

Subcommittee Chairman Dennis DeConcini, D-Ariz., called it "grossly unfair that [Higgins] cannot answer questions . . . It concerns me that the [ATF] seems to be isolated here because Mr.

Higgins is not able to defend himself."

Privately, a Republican panel member complained that Higgins was being "hung out to dry" by Bentsen.

Bentsen shot down a rumor brought up by Christopher S. Bond, R-Mo., that the ATF was going to be abolished. "There is no such plans," said Bentsen.

ENDANGERED SPECIES Act reauthorization introduced.

Marking the 20th anniversary of the Endangered Species Act, House and Senate lawmakers yesterday introduced companion bills to reauthorize the 1973 law.

House Merchant Marine and Fisheries Committee Chairman Gerry E. Studds, D-Mass., joined Senate Environment and Public Works Committee Chairman Max Baucus, D-Mont., and ranking member John H. Chafee, R-R.I., in introducing the legislation, which would put more emphasis on preservation of ecosystems rather than individual species.

Studds said that recent controversies surrounding the act were due to mismanagement by previous administrations, not because the act itself was flawed. "This is a statute that is understood and supported by the American people," said Studds.

Baucus added that the legislation would allow the government to intervene before a species' decline becomes a threat to the environment and the economy.

The measures would encourage earlier and more comprehensive species conservation, would step up federal efforts to recover species and would create incentives for private landowners to conserve species.

The bills would double the amount of funding currently authorized for the Interior Department, from \$56.5 million in fiscal 1993 to \$110 million in fiscal 1994.

Studds and Baucus both said they would hold hearings on the legislation through the summer and fall. ■

House Committee Phone Numbers

Agriculture	225-2171	Judiciary	225-3951
Appropriations	225-2771	Merchant Marine and Fisheries	225-4047
Armed Services	225-4151	Natural Resources	225-2761
Banking, Finance and Urban Affairs	225-4247	Post Office and Civil Service	225-4054
Budget	226-7200	Public Works and Transportation	225-4472
District of Columbia	225-4457	Rules	225-9486
Education and Labor	225-4527	Science, Space and Technology	225-6371
Energy and Commerce	225-2927	Select Intelligence	225-4121
Foreign Affairs	225-5021	Small Business	225-5821
Government Operations	225-5051	Standards of Official Conduct	225-7103
House Administration	225-2061	Veterans' Affairs	225-3527
		Ways and Means	225-3625

Meetings & Events Scheduled Today

Senate Committees

■ FY94 LABOR, HHS APPROPs

Senate Appropriations Committee

Labor, Health and Human Services and Education Subcommittee (Chairman Harkin, D-Iowa) will hold a hearing on FY94 appropriations for programs under its jurisdiction.

9:30am SD-192 Dirksen Bldg. **May 7**

Agenda: Sens. Craig, R-Idaho; Feinstein, D-Calif.; Chapin Wilson - American Federation of Government Employees; Mary Chatel - Social Security Management Associations; Robert Tobias - National Treasury Employees Union; Diane Bridge - NLRB; Nathan Albright - NLRB Union; Dennis Kelley - National Fuel Funds Network; William Hill - National Fuel Gas Distribution Companies; Wallace Zeddun - American Gas Association; Edward Meyers - National Association of Regulatory Utility Commissioners; Alan Guyant - National Low Income Energy Consortium; James Hubbard - American Legion; William Gaddy - Interstate Conference of Employment Security Agencies; Richard Morris - National Job Corps Coalition; Anne Richardson - Reading is Fundamental; Gerald Sroufe - American Educational Research Association; Catherine Ahl - National Military Family Association; Constantine Curris - American Association of State Colleges and Universities; Sherry Penney - American Council on Education; William Soult - National School Boards Association; Chris Mattocks - American Association of School Administrators; Jack Dull - University of Washington; Donald Cohodes - Blue Cross Blue Shield Association; Alfred Healy - AAUAP; Ian Graves - Association of University Programs in Occupational Health and Safety; James Preslock - Society for the Study of Reproduction; James Steven Kahn - Museum of Science and Industry; Martin Stephans - Humane Society and Industry

★ HOMOSEXUALS IN THE MILITARY

Senate Armed Services Committee

The full committee (Chairman Nunn, D-Ga.) will continue hearings on President Clinton's intention to issue an executive order that would end the current policy that prohibits homosexuals from serving in the armed forces of the United States.

9:30am SR-222 Russell Bldg. **May 7**

Witnesses scheduled: Members of the Senate

★ TREASURY NOMINATION

Senate Banking Committee

The full committee (Chairman Riegle, D-Mich.) will hold a confirmation hearing on the nomination of Frank Neil Newman to be under secretary of the Treasury for domestic finance.

10am SD-538 Dirksen Bldg. **May 7**

★ HEALTH-CARE INDUSTRY

ANTITRUST ISSUES

Senate Finance Committee

Medicare and Long Term Care Subcommittee (Chairman Rockefeller, D-W.Va.) will hold a hearing on antitrust issues in the health-care industry.

10am SD-215 Dirksen Bldg. **May 7**

Witnesses scheduled:

Sen. Metzenbaum, D-Ohio

PANEL: Ellen Cooper - assistant attorney general

★ *New listing*

and chief, Antitrust Division, State of Maryland; James Egan Jr. - director for litigation, Bureau of Competition, Federal Trade Commission; Phillip Proger - attorney, Washington, D.C. (Jones, Day, Reavis and Pogue)

PANEL: Jerald Schenken - member, Board of Trustees, American Medical Association; Erling Hansen - general counsel, Group Health Association of America; Beverly Malone - dean and professor, School of Nursing, North Carolina A&T University representing American Nurses Association; Eugene Pawlowski - president, Bluefield Regional Medical Center, Bluefield, W. Va. representing American Hospital Association; Steve Wetzell - executive director, Business Health Care Action Group, Minnetonka, Minn.

STATE DEPT NOMINATIONS

Senate Foreign Relations Committee

Senate Foreign Relations Committee (Chairman Pell, D-R.I.) will hold a confirmation hearing on pending nominations.

10:30pm SD-419 Dirksen Bldg. **May 7**

Nominations: Douglas J. Bennet to be assistant secretary of State for International Organization Affairs

Elinor G. Constable to be assistant secretary of State for Oceans and International Environmental and Scientific Affairs

John Howard Francis Shattuck to be assistant secretary of State for Human Rights and Humanitarian Affairs

House Committees

■ FY94 COMMERCE, JUSTICE, STATE APPROPs

House Appropriations Committee

Commerce, Justice, State and Judiciary Subcommittee (Chairman Smith, D-Iowa) will hold a hearing on FY94 appropriations for programs under its jurisdiction.

9am H-310 Capitol Bldg. **May 7**

Agenda & witnesses scheduled: Public Witnesses

■ FY94 INTERIOR APPROPs

House Appropriations Committee

Interior Subcommittee (Chairman Yates, D-Ill.) will hold a hearing on FY94 appropriations for programs under its jurisdiction.

10am B-308 Rayburn Bldg. **May 7**

Agenda & witness scheduled: Bureau of Land Management: Carson Culp - acting director

■ FY94 LABOR, HHS, EDUCATION APPROPs

House Appropriations Committee

Labor, Health and Human Services, and Education Subcommittee (Chairman Natcher, D-Ky.) will hold a hearing on FY94 appropriations for programs under its jurisdiction.

10am 2358 Rayburn Bldg. **May 7**

Agenda & witnesses scheduled: 10am: Vocational and Adult Education: Ricky Takai - acting assistant secretary of Education; Special Education and Rehabilitation Services: William Smith - acting assistant secretary of Education

■ FY94 TRANSPORTATION APPROPs

House Appropriations Committee

Transportation Subcommittee (Chairman Carr, D-Mich.) will hold hearings on FY94 appropriations for programs under its jurisdiction.

9am 2358 Rayburn Bldg. **May 7**

Agenda & witness scheduled: Public Witnesses

PANEL: Reps. Johnson, D-S.D.; Bereuter, R-Neb.

PANEL: Reps. McCloskey, D-Ind.; Rowland, D-Ga.; Clement, D-Tenn.

PANEL: Rep. Stearns, R-Fla.; Ed Austin - mayor, Jacksonville, Fla.; Mark Hulsey - vice chairman, Jacksonville Port Authority.

PANEL: Reps. Morella, R-Md.; Pastor, D-Ariz.; Filner, D-Calif.

PANEL: Thomas Hayward - chairman of the Board, Southeastern Pennsylvania Transportation Authority; Peter E. Stangl - chairman and CEO, New York Metropolitan Transportation Authority

PANEL: Thomas H. Hanna - president, American

Automobile Manufacturers Association

PANEL: R. Jeffery Henning - president, VPSI, Inc.

PANEL: Rep. Grams, R-Minn.

PANEL: Stan Ofeltie - CEO, Orange County (Calif.) Transportation Authority

PANEL: Rep. Hilliard, D-Ala.; Steven Means - mayor, Gadsden, Ala.; Richard Arrington - mayor, Birmingham, Ala.

PANEL: John O'Brien - director, Air Line Pilots Association

PANEL: William E. Legg - director, Naval Affairs, Reserve Officers Association of the United States

PANEL: Frank Pinter - executive director, National Easter Seal Society; Rosalyn Simon - director, Project ACTION

PANEL: Ken Hamm - general manager, LINK, Chelan-Douglas County

PANEL: Albert C. Eisenberg - senior director, Federal Legislative Affairs American Institute of Architects

PANEL: Steven Shladover - chairman, American Society of Mechanical Engineers

PANEL: Frank Sasso - Eastern Upper Peninsula

OFF THE HILL

President's Schedule

10:30am: Meets with European Community Commission President Jacques Delors, Prime Minister Poul Nyrup Rasmussen of Denmark, which holds the rotating European Community Council presidency, and EC Commissioners Sir Leon Brittan and Hans van den Broek, White House. The leaders discuss the current situation in Russia, Bosnia, the Middle East, the world economic and monetary situation and completion of the Uruguay Round of the GATT talks in the latest in the round of twice-yearly EC-U.S. presidential summits.

12:25pm: Working luncheon with the EC leaders. White House.

2pm, approx.: The EC leaders and Clinton make statements and take questions. White House, East Room.

■ *Revised listing*

House continued. . .

Transportation Authority

PANEL: Mike Mobey - general manager, Isabella County Transportation Commission; John D. Haeger - College of Arts and Sciences, Central Michigan University

FY94 VA, HUD APPROPS

House Appropriations Committee

VA, HUD, and Independent Agencies Subcommittee (Chairman Stokes, D-Ohio) will hold hearings on FY94 appropriations for programs under its jurisdiction.

10am H-143 Capitol Bldg. **May 7**

Agenda & witnesses scheduled:

Rebecca Quinn - Association of State Flood Plain Managers; John Friel - Watsonville Community Hospital; Brad Iarossi - Association of State Dam Safety Officials; Dave McMillion - National Emergency Management Association; Ivy Cohen - "Just Say No" International; Ralph Gennaro - Friends of the Earth; Frank Fitch - Federation of American Societies for Experimental Biology; Jerome Goldstein - American Academy of Otolaryngology; Dr. Early - Association of Minority Health Professionals; William Yolton - National Interreligious Service Board for Conscientious Objectors; Carol McNeely - American Academy of Dermatology; Jane Schautz - Small Towns Environment Program; Charles Kidd - Florida A & M; John Grupenhoff - National Association of Physicians for the Environment; William Becker - STAPPA/AIAPCO; Rep. Wyden, D-Ore.; Candace Balmer - Westchester Community College

Joint Committees

APRIL EMPLOYMENT

Joint Economic Committee

Joint Economic Committee (Chairman Obey, D-Wis.) will hold a hearing to receive the employment and unemployment statistics for the month of April.

9:30am 2255 Rayburn Bldg. **May 7**

Witness scheduled: William Barron - acting commissioner, Bureau of Labor Statistics

News Events

STATE LEGISLATURES MEETING

The National Conference of State Legislatures holds its annual State-Federal Assembly meeting. Committee sessions focus on national issues that impact upon state budgets and planning, including the North American Free Trade Agreement, environmental, banking and energy regulation, education and health care initiatives, and the Clinton economic agenda. Second of three days.

8am Hyatt Regency Capitol Hill, 400 New Jersey Ave. NW **May 7**

Contact: Susan Seladones, Liz Dechert, or Rosa Wright, 202-624-5400, or the hotel, 202-737-1234.

Note: Conference press room is 202-942-1541 or 202-942-1542

Highlights

8am: Speech by Rep. Craig Thomas, R-Wyo., on federal mandates on states. Yorktown and Ticonderoga Rooms

9:30am: Speech by Michael Plutro, project manager for the HHS Head Start Bureau. Olympic Room

3pm: Speech by David DeCarme, chief of the Department of Transportation office of international transportation maritime and surface division, on NAFTA. Lexington Room

DRUGS CONFERENCE

Rep. Charles Schumer (D-N.Y.) hosts the 1993 National Summit on U.S. Drug Policy.

8:45am Thurgood Marshall Federal Judiciary Building, (on Massachusetts Avenue east of Union Station) **May 7**

Contact: John Wolf, 202-225-6616

Highlights

8:45am: Remarks by Schumer and Lee Brown,

Office of National Drug Policy director-designate.

9am: Speech by Attorney General Janet Reno.

9:30am: Speech by the Rev. Jesse Jackson.

9:50am: Panel discussion on whether the nation is winning or losing the war on drugs. Participants include former HEW secretary Joseph Califano.

12:30pm: Luncheon speech by James Burke of the Partnership for a Drug Free America.

BTU TAX ON ENERGY

Energy Task Force of Women in Government Relations will sponsor a panel discussion on the administration's proposal to tax the BTU content of energy. Representatives of ten major energy associations have been invited to discuss the impact of the BTU tax on their industry.

8:30am to 10am American Trucking Association, 430 First St. S.E. **May 7**

Contact: Debbie Lawrence or Marsha Younglund at 202-833-8994

Note: There is a charge for this event of \$15 for members and \$25 for non-members. For reservations call the number listed above.

WASHINGTON AIRPORTS

The Washington Airports Task Force holds its 11th annual general meeting. Rep. Norman Mineta, D-Calif., chairman of the House Committee on Public Works and Transportation, delivers keynote speech at 9:10am Others making remarks are task force chairman Carrington Williams, James Wilding, general manager and CEO of the Metropolitan Washington Airports Authority, and task force president Leo Schefer.

9am to 10:30am Fairview Park Marriott, 3111 Fairview Park Drive, Falls Church, Va. Fairfax Grand Ballroom **May 7**

Contact: Lisa Smith, 703-661-8040, or the hotel, 703-849-9400

MITCHELL SPEECH

Senate Majority Leader George Mitchell, D-Maine, delivers a speech to the Ducks Unlimited organization.

9am Marriott Crystal Gateway Hotel, 1700 Jefferson Davis Highway, Arlington, Va. Arlington ballroom, first floor **May 7**

Contact: John Weathersby, 901-758-3765, or the hotel, 703-920-3230

ECONOMY NEWS CONFERENCE

Sen. Phil Gramm, R-Texas, and Rep. Dick Armey, R-Texas, hold a news conference to unveil an economic incentives package, "an alternative to President Clinton's failed stimulus bill."

10:15am Senate Radio-TV Gallery Capitol Bldg. **May 7**

Contact: Larry Neal, 202-224-0704

ENERGY TAX NEWS CONFERENCE

Representatives from several environmentalist organizations hold a news conference to announce opposition to a measure pending before the House Committee on Ways and Means, known as the Brewster amendment, that they claim would gut the Clinton administration's proposed BTU tax and set back environmental support of the tax plan. Participants include Ed Rothschild of Citizen Action, Carol Werner of the Environmental and Energy Study Institute, Dawn Erlandson of Friends of the Earth, Dan Lashof of the Natural Resources Defense Council and the Tom Grasso of Union of Concerned Scientists.

Noon National Press Club, 14th and F streets NW, First Amendment Lounge **May 7**

Contact: Henry Griggs, 202-682-1270, or Eileen Quinn, 202-332-0900

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Senate Committees Future Listings

Agriculture, Nutrition & Forestry

224-2035

★ AGRICULTURE NOMINATIONS

Senate Agriculture, Nutrition and Forestry Committee (Chairman Leahy, D-Vt.) will hold a confirmation hearing on pending nominations.

2:30pm SR-332 Russell Bldg. **May 11**

Nominations:

Ellen W. Haas to be assistant secretary for food and consumer services, Department of Agriculture; Eugene Moos to be undersecretary for international affairs and commodity programs, department of Agriculture; James Gilliland to be general counsel for department of Agriculture.

GRAIN INSPECTION SERVICE

Agricultural Research, Conservation, Forestry and General Legislation Subcommittee (Chairman Daschle, D-S.D.) of Senate Agriculture, Nutrition and Forestry Committee will hold an oversight hearing on the Federal Grain Inspection Service.

9am SR-332 Russell Bldg. **May 13**

Appropriations

224-3471

FY94 AGRICULTURE APPROPS

Agriculture, Rural Development and Related Agencies Subcommittee (Chairman Bumpers, D-Ark.) of Senate Appropriations Committee will hold hearings on FY94 appropriations for programs under its jurisdiction.

10am SD-138 Dirksen Bldg. **May 11, 18**

2pm SD-138 Dirksen Bldg. **May 20, 24**

Agenda:

May 11 Assistant secretary, Science and Education; Agricultural Research Service; Cooperative State Research Service; Extension Service

May 18 Commodity Futures Trading Commission; Food and Drug Administration; Farm Credit Administration

May 20 Undersecretary, Small Community and Rural Development; Farmers Home Administration; Federal Crop Insurance Corporation; Rural Electrification Administration; Rural Development Administration

May 24 Assistant secretary, Marketing and Inspection Services; Animal and Plant Health Inspection Service; Food Safety and Inspection Service; Agriculture Marketing Service

■ FY94 DEFENSE APPROPS

Defense Subcommittee (Chairman Inouye, D-Hawaii) of Senate Appropriations Committee will hold hearings on FY94 appropriations for programs under its jurisdiction.

10am SD-192 Dirksen Bldg. **May 11, 12 (open)**

10am SD-116 Dirksen Bldg. **May 13 (open)**

9am S-407 Capitol Bldg. **May 18 (closed)**

10am SD-192 Dirksen Bldg. **May 19, 20 (open)**

9am S-407 Capitol Bldg. **May 25 (closed)**

10am SD-192 Dirksen Bldg. **May 26, 27,**

★ *New listing*

June 8, 9, 10, 15 (open)

Agenda:

May 11 Guard and Reserve issues

May 12 Tactical aircraft programs

May 13 Manpower and personnel issues

May 18 Classified programs

May 19 Stand-off weapons programs

May 20 Research and development infrastructure

May 25 Intelligence programs

May 26 Space and command and control issues

May 27 Defense conversion and the nation's industrial base

June 8 outside witnesses

June 9 NATO and peacekeeping activities

June 10 Final review

June 15 Final review (alternate date)

■ FY94 D.C. APPROPS

Joint Hearing

District of Columbia Subcommittee (Chairman Kohl, D-Wis.) of Senate Appropriations Committee and District of Columbia Subcommittee (Chairman Dixon, D-Calif.) of House Appropriations Subcommittee will hold a joint hearing on FY94 appropriations for programs under its jurisdiction.

10am H-301 Capitol Bldg. **May 11**

Note: See House Appropriations Subcommittee for witnesses.

FY94 INTERIOR APPROPS

Interior Subcommittee (Chairman Byrd, D-W.Va.) of Senate Appropriations Committee will hold hearings on FY94 appropriations for programs under its jurisdiction.

10am SD-116 Dirksen Bldg. **May 11**

9:30am SD-116 Dirksen Bldg. **May 12**

10am S-128 Capitol Bldg. **May 19**

10am SD-116 Dirksen Bldg. **May 25**

10am SD-138 Dirksen Bldg. **May 26**

10am S-128 Capitol Bldg. **June 8, June 15**

Agenda:

May 11 Bureau of Indian Affairs: Construction Management; Gaming

May 12 Fossil Energy/ Clean Coal/Energy Conservation

May 19 Fish and Wildlife Service

May 25 Bureau of Land Management

May 26 Arts/ Humanities/ National Gallery of Art

June 8 Secretary of the Interior

June 15 Members of Congress; Secretary of Energy

FY94 FOREIGN OPS APPROPS

Foreign Operations Subcommittee (Chairman Leahy, D-Vt.) of Senate Appropriations Committee will hold hearings on FY94 appropriations for programs under its jurisdiction.

2pm SD-192 Dirksen Bldg. **May 12**

2:30pm SD-138 Dirksen Bldg. **May 18, 25,**

June 8

10am SD-138 Dirksen Bldg. **June 15**

Agenda & witness scheduled:

May 12 Foreign aid and U.S. foreign policy and security interests Lynn Davis - under secretary of State for International Security Affairs

May 18 Development assistance: goals and strategies for sustainable development Brian Atwood - administrator, Agency for International Development (This hearing was previously scheduled for April 20)

May 25 Foreign aid and U.S. international economic interests Joan Spero - under secretary of State for Economic Affairs

June 8 Foreign Aid and transnational issues: popu-

lation, environment, health, narcotics Tim Wirth - counselor, Department of State

Agenda:

June 15 Public witnesses

FY94 LABOR, HHS APPROPS

Labor, Health and Human Services and Education Subcommittee (Chairman Harkin, D-Iowa) of Senate Appropriations Committee will hold hearings on FY94 appropriations for programs under its jurisdiction.

9:30am SD-192 Dirksen Bldg. **May 7**

9:30am SD-138 Dirksen Bldg. **May 12, 14, 19**

1:30pm SD-192 Dirksen Bldg. **May 24**

9:30am SD-116 Dirksen Bldg. **May 26**

9:30am SD-192 Dirksen Bldg. **June 18**

9:30am & 1:30pm SD-192 Dirksen Bldg.

June 21

Agenda:

May 7 Sec "Committee Meetings Scheduled Today" section for witnesses

May 12 Department of Education

May 14 Department of Health and Human Services

May 19 Department of Labor

May 24 Public Health Service

May 26 National Institutes of Health

June 18 Departments of Labor, Health and Human Services & Education; Inspectors General

June 21 Related Agencies

★ FY94 D.C. APPROPS

District of Columbia Subcommittee (Chairman Kohl, D-Wis.) of Senate Appropriations Committee will hold a hearing on FY94 appropriations for programs under its jurisdiction.

10am SD-192 Dirksen Bldg. **May 13**

Agenda & witnesses scheduled:

Mayor and City Council: Sharon Pratt Kelly - mayor; John Wilson - chairman, D.C. City Council

FY94 TRANSPORTATION APPROPS

Transportation Subcommittee (Chairman Lautenberg, D-N.J.) of Senate Appropriations Committee will hold hearings on FY94 appropriations for programs under its jurisdiction.

10am SD-138 Dirksen Bldg. **May 13 (tentative)**

time TBA room TBA **May 20 (tentative)**

10am SD-138 Dirksen Bldg. **May 27**

Agenda:

May 13 Marine safety: Coast Guard

May 20 Research and development: Federal Aviation Administration

May 27 Drunk driving: National Highway Traffic Safety Administration

FY94 VA, HUD APPROPS

VA, HUD and Independent Agencies Subcommittee (Chairman Mikulski, D-Md.) of Senate Appropriations Committee will hold a hearing on FY94 appropriations for programs under its jurisdiction.

10am SD-106 Dirksen Bldg. **May 13**

10am SD-192 Dirksen Bldg. **May 14**

9am SD-138 Dirksen Bldg. **May 21**

10am SD-106 Dirksen Bldg. **May 27**

10am SH-216 Hart Bldg. **June 10**

■ *Revised listing*

Senate continued...

Agenda:

May 13 Federal Emergency Management Agency
May 14 Consumer Products Safety Commission; Office of Consumer Affairs; Consumer Information Center; Points of Light Foundation; Court of Veterans Appeals; National Reinvestment Corporation; Office of Science and Technology Policy
May 21 Public witnesses
May 27 Department of Veterans Affairs
June 10 NASA

FY94 TRANSPORTATION APPROPS

Field Hearing

Transportation Subcommittee (Chairman Lautenberg, D-N.J.) of Senate Appropriations Committee will hold a hearing on FY94 appropriations for transportation research and development, technology export and the Federal Aviation Administration.

10am & 1pm Trenton, N.J. State House **May 17**

Agenda:

Research and development; Technology Export; Federal Aviation Administration

SUBCOMMITTEE MARKUP:

FY94 DEFENSE APPROPS

Defense Subcommittee (Chairman Inouye, D-Hawaii) of Senate Appropriations Committee will meet to mark up the FY94 defense appropriations bill.

Time and room TBA **July 20**

Armed Services

224-3871

HOMOSEXUALS IN THE MILITARY

Field Hearing

Senate Armed Services Committee (Chairman Nunn, D-Ga.) will continue hearings on President Clinton's intention to issue an executive order that would end the current policy that prohibits homosexuals from serving in the armed forces of the United States.

Time TBA site, TBA Norfolk Naval Base, Va. **May 10**

Time TBA TBA (another military base) **May 17**

★ HOMOSEXUALS IN THE MILITARY

Senate Armed Services Committee (Chairman Nunn, D-Ga.) will continue hearings on President Clinton's intention to issue an executive order that would end the current policy that prohibits homosexuals from serving in the armed forces of the United States.

9:30am SR-222 Russell Bldg. **May 7**

time TBA room TBA **May 11**

Witnesses scheduled:

May 7 Members of the Senate

■ FY94 DEFENSE AUTHORIZATION

Nuclear Deterrence, Arms Control and Defense Intelligence Subcommittee (Chairman Exon, D-Neb.) of Senate Armed Services Committee will hold hearings on the FY94 defense authorization.

2:30pm SR-222 Russell Bldg. **May 11**

9:30am SR-232A Russell Bldg. **May 19**

9:30am SR-222 Russell Bldg. **May 26**

★ *New listing*

Agenda:

May 11 Trident submarine and missile programs
May 19 Energy Department's environmental restoration and waste management program
May 26 Chemical demilitarization and chemical defense programs

★ ROLES & MISSIONS OF THE ARMED SERVICES

Senate Armed Services Committee (Chairman Nunn, D-Ga.) will hold a hearing on the report from the chairman of the Joint Chiefs of Staff on the roles and missions of the United States' armed forces.

2:30PM SH-216 Hart Bldg. **May 12**

■ FY94 DEFENSE AUTHORIZATION

Defense Technology, Acquisition and Industrial Base Subcommittee (Chairman Bingaman, D-N.M.) of Senate Armed Services Committee will hold hearings on the FY94 defense authorization.

2:30pm SR-222 Russell Bldg. **May 13**

9:30am SR-222 Russell Bldg. **May 18**

Agenda:

May 13 State of the national defense industrial and technology bases

May 18 State of the national defense industrial and technology bases, and the administration's plans for FY94

★ FY94 DEFENSE AUTHORIZATION

Senate Armed Services Committee (Chairman Nunn, D-Ga.) will continue hearings on the FY94 defense authorization.

2pm SH-216 Hart Bldg. **May 19**

date TBA

★ FY94 DEFENSE AUTHORIZATION

Force Requirements and Personnel Subcommittee (Chairman Shelby, D-Ala.) will continue hearings on the FY94 defense authorization.

9am SH-216 Hart Bldg. **May 19**

Agenda:

Personnel compensation and benefits programs of the military services

Commerce, Science & Transportation

224-5115

COAST GUARD REAUTHORIZATION

Senate Commerce, Science and Transportation Committee (Chairman Hollings, D-S.C.) will hold a hearing on reauthorizing the Coast Guard.

10am SR-253 Russell Bldg. **May 12**

■ CAMPAIGN ADVERTISING

Communications Subcommittee (Chairman Inouye, D-Hawaii) of Senate Commerce, Science and Transportation Committee will hold a hearing on legislation that would regulate the purchase of advertising by candidates for public office.

2pm SR-253 Russell Bldg. **May 13**

Agenda:

S 329 - A bill to amend section 315 of the Communications Act of 1934 with respect to the purchase and use of broadcasting time by candidates for

public office, and for other purposes.

S 334 - A bill to amend the Communications Act of 1934 regarding the broadcasting of certain material regarding candidates for federal elective office, and for other purposes.

S 829 - A bill to amend the Communications Act of 1934 to regulate the length and certain other aspects of television commercials authorized by a political candidate.

U.S. COMPETITIVENESS GLOBAL MARKETPLACE

Foreign Commerce and Tourism Subcommittee (Chairman Kerry, D-Mass.) of Senate Commerce, Science and Transportation Committee will hold a hearing on U.S. competitiveness in a global marketplace.

10am SR-253 Russell Bldg. **May 18**

Note: This hearing was originally scheduled for May 6

U.S. AEROSPACE INDUSTRY

Senate Commerce, Science and Transportation Committee (Chairman Hollings, D-S.C.) will hold a hearing on the competitiveness of the U.S. aerospace industry and on legislation that would encourage cooperative research and development ventures between the U.S. airline industry and the federal government.

10am SR-253 Russell Bldg. **May 19**

Agenda:

S 419 - A bill to provide for enhanced cooperation between the federal government and the U.S. commercial aircraft industry in aeronautical technology research, development, and commercialization, and for other purposes.

Note: This hearing was originally scheduled for April 21.

Energy & Natural Resources

224-4971

ENERGY NOMINATIONS

Senate Energy and Natural Resources Committee (Chairman Johnston, D-La.) will hold a confirmation hearing on pending nominations.

9:30am SD-366 Dirksen Bldg. **May 11**

Nominations:

James Hoecker, William Massey, Donald Santa to be members of the Federal Energy Regulatory Commission

FULL COMMITTEE BUSINESS

Senate Energy and Natural Resources Committee (Chairman Johnston, D-La.) will mark up pending legislation.

9:30am SD-366 Dirksen Bldg. **May 12, 19, 26**

CONSERVATION FUND REAUTHORIZATION

Senate Energy and Natural Resources Committee (Chairman Johnston, D-La.) will hold a hearing on legislation that would reauthorize the 1965 Land and Water Conservation Fund Act.

9:30am SD-366 Dirksen Bldg. **May 18**

Agenda:

S 721 - A bill to amend the Land and Water Conservation Fund Act of 1965, and for other purposes.

■ *Revised listing*

Senate continued...

CHANGING UTILITIES LAW

Senate Energy and Natural Resources Committee (Chairman Johnston, D-La.) will hold a hearing on legislation that would transfer regulatory authority for multistate electric utility hold company systems from the Securities and Exchange Commission to the Federal Energy Regulatory Commission.

9:30am SD-366 Dirksen Bldg. **May 25**

Agenda:

S 544 - A bill to amend the Federal Power Act to protect consumers of multistate utility systems, and for other purposes.

Note: The Committee will also hear testimony on an amendment to S 544 which would transfer responsibility for administering public utilities from the Securities and Exchange Commission to the Federal Energy Regulatory Commission.

INSULAR AFFAIRS

Senate Energy and Natural Resources Committee (Chairman Johnston, D-La.) will hold a hearing on legislation that would make it easier for the secretary of the Interior to develop federal policies relating to territories under the jurisdiction of the Interior Department.

time TBA SD-366 Dirksen Bldg. **date TBA**

Agenda:

S 447 - A bill to facilitate the development of federal policies with respect to those territories under the jurisdiction of the secretary of the Interior.

Note: This hearing was originally scheduled for March 30.

KAHO'OLAWA ISLAND

Mineral Resources Development and Production Subcommittee (Chairman Akaka, D-Hawaii) of Senate Energy and Natural Resources Committee will hold a hearing on the Kaho'olawe Island Conveyance Commission report. The Commission was charged in 1990 with studying how to transfer ownership of the Kaho'olawe Island, located in Hawaii, to the state of Hawaii. Kaho'olawe Island is currently owned by the federal government and has been used in the past for target bombing practice by the military.

time TBA SD-366 Dirksen Bldg. **date TBA**

Environment & Public Works

224-6176

FY94 EPA BUDGET

Senate Environment and Public Works Committee (Chairman Baucus, D-Mont.) will hold a hearing on the proposed FY94 budget for the Environmental Protection Agency (EPA).

10am SD-406 Dirksen Bldg. **May 11**

ENVIRONMENTAL PROTECTION EFFORTS

Senate Environment and Public Works Committee (Chairman Baucus, D-Mont.) will hold a hearing on future environmental protection efforts, focusing on recycling technologies.

time TBA SD-458 Dirksen Bldg. **date TBA**

Note: This hearing was originally scheduled for April 21.

★ New listing

Governmental Affairs

224-4751

FULL COMMITTEE MARKUP

Senate Governmental Affairs Committee (Chairman Glenn, D-Ohio) will mark up pending legislation.

10am SD-342 Dirksen Bldg. **May 11, 25**

Agenda:

May 11

S 185 - A bill to amend title 5, U.S. Code, to restore to federal civilian employees their right to participate voluntarily, as private citizens, in the political processes of the nation, to protect such employees from improper political solicitations, and for other purposes (tentative)

May 25

To be announced

Note: This markup was originally scheduled for April 29.

NUCLEAR COST-EFFECTIVENESS

Senate Governmental Affairs Committee (Chairman Glenn, D-Ohio) will hold a hearing on a General Accounting Office (GAO) report on the cost-effectiveness of U.S. strategic nuclear forces in the air, on land and on the sea (known as the nuclear Triad).

9:30am SD-342 Dirksen Bldg. **May 13**

Note: This hearing had been scheduled for April 20.

INDEPENDENT COUNSEL REAUTHORIZATION

Senate Governmental Affairs Committee (Chairman Glenn, D-Ohio) will hold a hearing on pending legislation.

9:30am SD-342 Dirksen Bldg. **May 14**

Agenda:

S 24 - A bill to reauthorize the independent counsel law for an additional 5 years, and for other purposes.

FEDERAL EMPLOYEE FAIRNESS

Senate Governmental Affairs Committee (Chairman Glenn, D-Ohio) will hold a hearing on pending federal employee legislation.

9:30am SD-342 Dirksen Bldg. **May 26**

Agenda:

S 404 - A bill to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967 to improve the effectiveness of administrative review of employment discrimination claims made by federal employees, and for other purposes.

INSURANCE COMPANIES AND MEDICARE

Senate Governmental Affairs Committee (Chairman Glenn, D-Ohio) will hold a hearing on whether the share of Medicare costs paid by insurance companies is appropriate.

9:30am SD-342 Dirksen Bldg. **date TBA**

Note: This hearing was originally scheduled for February 18.

GREAT LAKES DREDGING

Senate Governmental Affairs Committee (Chairman Glenn, D-Ohio) will hold a hearing on dredging of the Great Lakes and its impact on the environment.

time TBA room TBA **date TBA**

Note: This hearing was originally scheduled for March 31.

RESTRUCTURING FEMA

The full committee (Chairman Glenn, D-Ohio) will hold a hearing on proposals to restructure the Federal Emergency Management Agency (FEMA).

9:30am SD-342 Dirksen Bldg. **date TBA**

Witnesses scheduled: Rep. Weldon, R-Pa.; Charles Bowsher - Comptroller General; James Lee Witt - director, Federal Emergency Management Agency; Robert Sheets - director, National Hurricane Center; R. Scott Fosler - president, National Academy of Public Administration; Dale Shipley - deputy director, Ohio Emergency Management Agency and former president, National Emergency Managers Association; Richard Sylves - professor of political science, University of Delaware

Note: This hearing was originally scheduled for April 29.

MEASURING GOVERNMENT PERFORMANCE

Senate Governmental Affairs Committee (Chairman Glenn, D-Ohio) will hold a hearing on proposals to measure performance in federal programs.

9:30am SD-342 Dirksen Bldg. **date TBA**

Note: This hearing was originally scheduled for February 2.

PAPERWORK REDUCTION ACT

Senate Governmental Affairs Committee (Chairman Glenn, D-Ohio) will hold a hearing on the reauthorization of the Paperwork Reduction Act of 1980.

9:30am SD-342 Dirksen Bldg. **date TBA**

Note: This hearing was originally scheduled for March 11.

SDI REVIEW

Senate Governmental Affairs Committee (Chairman Glenn, D-Ohio) will hold a hearing to review the Strategic Defense Initiative (SDI) program.

9:30am SD-342 Dirksen Bldg. **date TBA**

Note: This hearing was originally scheduled for April 20

BUDGETING FOR ENVIRONMENTAL PROBLEMS

Senate Governmental Affairs Committee (Chairman Glenn, D-Ohio) will hold a hearing on the level of funding provided for environmental programs in the federal budget, with a particular focus on the Interior Dept.

Time TBA SD-342 Dirksen Bldg. **date TBA**

Note: This hearing had been scheduled for April 27.

Indian Affairs

224-2251

INDIAN RELIGIOUS FREEDOM Field Hearing

Senate Indian Affairs Committee (Chairman Inouye, D-Hawaii) will hold a field hearing on the American Indian Religious Freedom Act.

8am Honolulu, Hawaii **May 8**

INDIAN SELF-DETERMINATION

Senate Indian Affairs Committee (Chairman Inouye, D-Hawaii) will hold a hearing on

■ Revised listing

Senate continued. . .

proposed regulations to implement the 1988 amendments to the Indian Self Determination and Education Assistance Act.

9:30am SR-485 Russell Bldg. **May 14**

Judiciary

224-5225

MANVILLE BANKRUPTCY TRUST OVERSIGHT

Courts and Administrative Practice Subcommittee (Chairman Heflin, D-Ala.) of Senate Judiciary Committee will hold an oversight hearing on the bankrupt Manville company trust, which was established to fulfill the company's legal obligations to asbestos victims.

2pm SD-226 Dirksen Bldg. **May 12**

Note: This hearing was originally scheduled for April 30.

■ TERRORISM & IMMIGRATION POLICY

Immigration and Refugee Affairs Subcommittee (Chairman Kennedy, D-Mass.) of Senate Judiciary Committee will hold a hearing on legislation to improve the procedures used to exclude aliens seeking to enter the U.S. though fraud and, in the wake of the Twin Towers bombing, oversight on why U.S. immigration law allows the granting of asylum to possible terrorists.

10am SD-226 Dirksen Bldg. **May 28**

Agenda:

S 667 - A bill to amend the Immigration and Nationality Act to improve procedures for the exclusion of aliens seeking to enter the United States by fraud.

Rules & Administration

224-6352

PACKWOOD ELECTION

Senate Rules and Administration Committee (Chairman Ford, D-Ky.) will hold a hearing on petitions filed in Oregon disputing the validity of the 1992 election of Senator Bob Packwood, R-Ore.

2pm SR-301 Russell Bldg. **May 10**

FULL COMMITTEE MARKUP

Senate Rules and Administration Committee (Chairman Ford, D-Ky.) will meet to mark up pending legislation.

9:30am SR-301 Russell Bldg. **May 20**

Agenda:

S 345 - A bill to authorize the Library of Congress to provide certain information products and services.

S - Draft legislation authorizing the FY94 appropriations for the Federal Election Commission

S 27 - A bill to authorize the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr., in the District of Columbia.

S 277 - A bill to authorize the establishment of the National African American Museum within the Smithsonian Institution.

S 685 - A bill to authorize appropriations for the American Folklife Center for fiscal years 1994, 1995, 1996, and 1997.

★ *New listing*

Veterans' Affairs

224-9126

VA NOMINATIONS

Senate Veterans' Affairs Committee (Chairman Rockefeller, D-W.Va.) will hold a confirmation hearing on pending Department of Veterans Affairs (VA) nominations.

10:30am SR-418 Russell Bldg. **May 12**

Agenda:

Edward Scott to be assistant secretary of Veterans Affairs for Congressional Affairs; Mark Catlett to be assistant secretary of Veterans Affairs for Financial and Information Resources Management; Mary Lou Keener to be general counsel, Department of Veterans Affairs; Jerry Bowen to be director, National Cemetery System, Department of Veterans Affairs

★ VETERANS REEMPLOYMENT

Senate Veterans' Affairs Committee (Chairman Rockefeller, D-W.Va.) will hold a hearing on draft legislation that would clarify

veterans' reemployment rights.

10am SR-418 Russell Bldg. **May 13**

Agenda:

S - To clarify veterans' reemployment rights.

★ VA NOMINATIONS

Senate Veterans' Affairs Committee (Chairman Rockefeller, D-W.Va.) will vote on pending Department of Veterans Affairs' (VA) nominations and consider other business.

10am SR-418 Russell Bldg. **May 19**

★ THE VA'S ROLE IN LONG-TERM CARE

Senate Veterans' Affairs Committee (Chairman Rockefeller, D-W.Va.) will hold a hearing on the role of the Department of Veterans Affairs (VA) in improving the nation's geriatrics and long-term care.

time: see note SR-418 Russell Bldg. **May 19**

Note: This hearing follows the meeting to vote on pending nominations.

House Committees Future Listings

Appropriations

225-2771

■ FY94 INTERIOR APPROPS

Interior Subcommittee (Chairman Yates, D-Ill.) of House Appropriations Committee will hold hearings on FY94 appropriations for programs under its jurisdiction.

10am B-308 Rayburn Bldg. **May 7**

10am & 1:30pm B-308 Rayburn Bldg. **May 10, 11**

9:30am & 1:30pm 2360 Rayburn Bldg. **May 12**

10am B-308 Rayburn Bldg. **May 13**

Agenda & witness scheduled:

May 7 Bureau of Land Management: Carson Culp - acting director

Agenda:

May 10 National Endowment for the Humanities

May 11 Members of Congress

May 12 Arts/Humanities/Institute of Museum Services - Outside Witnesses

May 13 Members of Congress

■ FY94 LABOR, HHS, EDUCATION APPROPS

Labor, Health and Human Services, and Education Subcommittee (Chairman Natcher, D-Ky.) of House Appropriations Committee will hold hearings on FY94 appropriations for programs under its jurisdiction.

10am 2358 Rayburn Bldg. **May 7**

2pm 2358 Rayburn Bldg. **May 10**

10am & 2pm 2358 Rayburn Bldg. **May 11**

9:30am & 2pm 2358 Rayburn Bldg. **May 12**

10am & 2pm 2358 Rayburn Bldg. **May 13**

Agenda & witnesses scheduled:

May 7 10am: Vocational and Adult Education: Ricky Takai - acting assistant secretary of Education

Special Education and Rehabilitation Services: William Smith - acting assistant secretary of Education

May 10 Special Institutions for the Disabled: Howard University

May 11 10am: National Heart, Lung and Blood

Institute; National Cancer Institute; National Institute of Allergy and Infectious Diseases

May 12 9:30am: Secretary of Health and Human Services

2pm: Public Health Service Overview

May 13 10am: National Institutes of Health Overview

2pm: Administration on Children and Families

■ FY94 COMMERCE, JUSTICE, STATE APPROPS

Commerce, Justice, State and Judiciary Subcommittee (Chairman Smith, D-Iowa) of House Appropriations Committee will hold hearings on FY94 appropriations for programs under its jurisdiction.

9am H-310 Capitol Bldg. **May 7**

10am & 2pm H-310 Capitol Bldg. **May 11, 12**

10am H-310 Capitol Bldg. **May 13**

Agenda & witnesses scheduled:

May 7 Public Witnesses

May 11 10am: Department of State: Acquisition and Maintenance of Buildings Abroad

2pm: Public Witnesses

May 12 Public Witnesses

May 13 Public Witnesses

★ FY94 DEFENSE APPROPS

Defense Subcommittee (Chairman Murtha, D-Pa.) of House Appropriations Committee will continue hearings on FY94 appropriations for programs under its jurisdiction.

10am H-140 Capitol Bldg. **May 11 (closed)**

1:30pm H-140 Capitol Bldg. **May 11 (open)**

10:30am & 2:30pm H-140 Capitol Bldg. **May 12 (closed)**

10am H-140 Capitol Bldg. **May 13 (closed)**

1:30pm 2360 Rayburn Bldg. **May 13 (open)**

time TBA room TBA date TBA

Agenda:

May 11 10am: Command, control, communications and intelligence programs

1:30pm: Defense Department Space and Related Programs

May 12 10am: Army procurement program

■ *Revised listing*

House continued...

2:30pm: Operations and maintenance overview

May 13 10am: Special programs

1:30pm: Defense Department budget overview

Les Aspin - secretary of Defense

date TBA Commander-in-chief, U.S. Special Operations Command; Army procurement programs; intelligence programs

FY94 D.C. APPROPS

Joint Hearing

District of Columbia Subcommittee (Chairman Dixon, D-Calif.) of House Appropriations Committee and District of Columbia Subcommittee (Chairman Kohl, D-Wis.) of Senate Appropriations Committee will hold a joint hearing on FY94 appropriations for programs under its jurisdiction.

10am H-301 Capitol Bldg. **May 11**

Agenda & witnesses scheduled:

Rep. Hoyer, D-Md.; Rev. William L. George, Rev. Harold C. Bradley, Rev. T. Byron Collins - Georgetown University; Thomas N. Tippet - president, Fire Fighters Association, Local 36; Joe O'Neill - president, Chief Officers Association, D.C. Fire and Emergency Services Department; Andre Lewis - chairman, Labor Committee, Fraternal Order of Police; Sally Byington - Capitol Hill Restoration Society; Johanna Ferman - chief executive officer, D.C. Institute for Mental Health; Josh Williams - president, Metropolitan Washington Labor Council, AFL-CIO; T. Rodney Oppmann - attorney for Municipal Fish Wharf lessees; Stephen J. Trachtenberg - president, George Washington University; Ann Lewin - president, National Learning Center; Rosann Wisman - president, Planned Parenthood of Metropolitan Washington D.C. Inc.; Jim Jones - president, Greater Washington Board of Trade

FY94 TRANSPORTATION APPROPS

Transportation Subcommittee (Chairman Carr, D-Mich.) of House Appropriations Committee will hold hearings on FY94 appropriations for programs under its jurisdiction.

9am 2358 Rayburn Bldg. **May 7, 11, 12**

Agenda & witness scheduled:

May 7 See "Committee Meetings Scheduled Today"

section for witnesses

Agenda:

May 11 Federal Transit Administration; Washington Metropolitan Area Transit Authority

May 12 Crumb rubber modified asphalt

★ FY94 D.C. APPROPS

District of Columbia Subcommittee (Chairman Dixon, D-Calif.) of House Appropriations Committee will hold hearings on FY94 appropriations for programs under its jurisdiction.

10am H-301 Capitol Bldg. **May 12, 13**

Agenda:

May 12 Mayor and Council Chairman Overview

May 13 Governmental Direction and Support

Armed Services

225-4151

★ FY94 DEFENSE AUTHORIZATION

Military Applications of Nuclear Energy Panel Subcommittee (Chairman Spratt, D-S.C.) of House Armed Services Committee will continue hearings on the FY94 defense authorization.

9:30am 2337 Rayburn Bldg. **May 10 (open,**

★ *New listing*

may
close)

date TBA

Agenda:

May 10 Nuclear weapons requirements and complex reconfiguration

★ FY94 DEFENSE AUTHORIZATION

Military Forces and Personnel Subcommittee (Chairman Skelton, D-Mo.) of House Armed Services Committee will hold hearings on the fiscal 1994 defense authorization.

2pm 2212 Rayburn Bldg. **May 10**

9:30am 2337 Rayburn Bldg. **May 11**

11am 2216 Rayburn Bldg. **May 12**

9:30am 2216 Rayburn Bldg. **May 13**

Agenda & witnesses scheduled:

May 10 Defense medical budget
Rep. Congressional Budget Office, TBA; Rep. General Accounting Office, TBA; Rep. RAND Corp., TBA

Agenda:

May 11 10am: Victims' rights 2pm: Military medical budget

May 12 Women in combat

May 13 Chiropractors in the military and authorization of chiropractors to participate in CHAMPUS

Note: This hearing was previously scheduled for May 6.

★ FY94 DEFENSE AUTHORIZATION

Military Acquisition Subcommittee (Chairman Dellums, D-Calif.) and Oversight and Investigation Subcommittee (Chairman Sisisky, D-Va.) of House Armed Services Committee will hold a hearing on the FY94 defense authorization.

10am 2118 Rayburn Bldg. **May 11**

Agenda:

C-17 aircraft program

★ FY94 DEFENSE AUTHORIZATION

Readiness Subcommittee (Chairman Hutto, D-Fla.) of House Armed Services Committee will hold hearings on the FY94 defense authorization.

10am 2216 Rayburn Bldg. **May 11**

11am 2212 Rayburn Bldg. **May 12**

10am & 2pm 2212 Rayburn Bldg. **May 13**

Agenda:

May 11 Depot consolidation

May 12 Depot consolidation

May 13 Defense Department financial management and the Defense Business Operations Fund

★ FULL COMMITTEE MARKUP: DEFENSE BUDGET RECONCILIATION

House Armed Services Committee (Chairman Dellums, D-Calif.) will meet to mark up its portion of the FY94 reconciliation bill.

10am 2118 Rayburn Bldg. **May 12**

★ FY94 DEFENSE AUTHORIZATION

Military Acquisition Subcommittee (Chairman Dellums, D-Calif.) and Research and Technology Subcommittee (Chairman Schroeder, D-Colo.) will hold a hearing on the FY94 defense authorization.

11am H-405 Capitol Bldg. **May 12 (closed)**

10am 2118 Rayburn Bldg. **May 13 (open)**

date TBA

Agenda:

May 12 Special access programs

May 13 Strategic and theatre missile defense programs and policy

Note: This hearing was previously scheduled for May 6.

★ FY94 DEFENSE AUTHORIZATION

Military Installations and Facilities Subcommittee (Chairman McCurdy, D-Okla.) will hold hearings on the fiscal 1994 defense authorization.

10am 2337 Rayburn Bldg. **May 13**

Agenda:

Environmental issues related to military construction

★ FY94 DEFENSE AUTHORIZATION

Oversight and Investigations Subcommittee (Chairman Sisisky, D-Va.) of House Armed Services Committee will hold a hearing on the FY94 defense authorization.

2pm 2337 Rayburn Bldg. **May 13**

Agenda:

Drug interdiction and civil defense budget requests

Banking, Finance & Urban Affairs

225-4247

★ MULTI-FAMILY DWELLINGS HUD OVERSIGHT

Housing and Community Development Subcommittee (Chairman Gonzalez, D-Texas) of House Banking, Finance and Urban Affairs Committee will hold a hearing to examine findings of a recent General Accounting Office study of the Housing and Urban Development's multi-family home programs.

10am 2128 Rayburn Bldg. **May 12**

MORTGAGE SERVICES

Housing and Community Development Subcommittee (Chairman Gonzalez, D-Texas) of House Banking, Finance and Urban Affairs Committee will hold a hearing on escrow issues, especially recent technological changes in the mortgage services industry.

10am 2128 Rayburn Bldg. **May 19**

Note: This hearing had been scheduled for May 5

ECONOMIC DEVELOPMENT ADMINISTRATION

Economic Growth and Credit Formation Subcommittee (Chairman Kanjorski, D-Pa.) of House Banking, Finance and Urban Affairs Committee will hold a hearing on the president's FY94 budget recommendation for the Economic Development Administration.

time TBA room TBA **date TBA**

Note: This hearing was originally scheduled titled "Defense Conversion" and scheduled for April 25.

FEDERAL HELP FOR COMMUNITY DEVELOPMENT BANKS

General Oversight, Investigations, and the Resolution of Failed Financial Institutions Subcommittee (Chairman Flake, D-N.Y.) of House Banking, Finance and Urban Affairs Committee will hold a series of hearings on the viability of expanding the Bank Enterprise Act of 1991 to promote the growth of community development banks. The committee will dis-

■ *Revised listing*

House continued. . .

cuss whether amending the Bank Enterprise Act would be the most effective way to fund the development of these local banking initiatives. Federal help for community development banks is a key part of the Clinton administration's domestic agenda.

time TBA room TBA date TBA

District of Columbia

225-4457

SUBCOMMITTEE MARKUP: D.C. SUPREME COURT

Judiciary and Education Subcommittee (Chairman Norton, D-D.C.) will mark up pending legislation.

time TBA 1310A Longworth Bldg. May 18

Education & Labor

225-4527

★ FULL COMMITTEE MARKUP

House Education and Labor Committee (Chairman Ford, D-Mich.) will mark up pending legislation.

10:30am 2175 Rayburn Bldg. May 12

Agenda:

HR - - Reconciliation recommendations pursuant to section 310 of the Congressional Budget Act
H CON RES 64 - Resolution setting forth the congressional budget for the U.S. government for fiscal years 1994, 1995, 1996, 1997, and 1998.

★ REAUTHORIZING ELEMENTARY & SECONDARY EDUCATION ACT

Elementary, Secondary and Vocational Education Subcommittee (Chairman Kildee, D-Mich.) of House Education and Labor Committee will hold a hearing on legislation that would reauthorize the Elementary and Secondary Education Act of 1965.

10am 2175 Rayburn Bldg. May 13

Agenda:

HR 6 - A bill to extend for six years the authorizations of appropriations for the programs under the Elementary and Secondary Education Act of 1965 and for other purposes.

Witnesses scheduled:

Augustus Hawkins - former member and former Chairman, Committee on Education and Labor; Barbara Taylor - University of Wis.; Nicholas Michelli - School of Professional Studies, Montclair, N.J.; Albert Shanker - president, American Federation of Teachers; Eric Cooper - Columbia University Teachers College

★ U.S. LABOR LAWS & FOREIGN FLAGGED VESSELS

Labor Standards, Occupational Health and Safety Subcommittee (Chairman Murphy, D-Pa.) of House Education and Labor Committee will hold a hearing on legislation that would extend certain U.S. labor laws to foreign documented vessels.

10:30am 2261 Rayburn Bldg. May 13

★ New listing

Agenda:

HR 1517 - A bill to extend the coverage of certain federal labor laws to foreign documented vessels, and for other purposes.

Energy & Commerce

225-2927

★ FULL COMMITTEE MARKUP: BUDGET RECONCILIATION

House Energy and Commerce Committee (Chairman Dingell, D-Mich.) will mark up draft language to make changes in programs under its jurisdiction in order to bring overall expenditures in line with the budget resolution passed earlier by Congress.

10am 2123 Rayburn Bldg. May 11

★ TELEVISION VIOLENCE AND CHILDREN

Telecommunications and Finance Subcommittee (Chairman Markey, D-Mass.) of House Energy and Commerce Committee will hold a hearing on television violence and its effects on children.

9:30am room TBA May 12

★ SUPERFUND

Transportation and Hazardous Materials Subcommittee (Chairman Swift, D-Wash.) of House Energy and Commerce Committee will hold a hearing on "superfund" toxic-waste cleanup efforts.

time TBA room TBA May 13

Witness scheduled:

Carol M. Browner - administrator, Environmental Protection Agency

CAMPAIGN FINANCE REVISION

Telecommunications and Finance (Chairman Markey, D-Mass.) of House Energy and Commerce Committee will hold a hearing on proposals to revise laws and regulations governing campaign advertising and financing.

time TBA room TBA date TBA

Note: This hearing was originally scheduled for March 18.

SUBCOMMITTEE MARKUP: SECURITIES LAW

Telecommunications and Finance Subcommittee (Chairman Markey, D-Mass.) of House Energy and Commerce Committee will markup legislation designed to curb abuse in the secondary market for government securities.

time TBA room TBA date TBA

Agenda:

HR 618 - A bill to extend and revise rule-making authority with respect to government securities under the federal securities laws, and for other purposes.

Note: This hearing had been scheduled for April 28.

Foreign Affairs

225-5021

FY94 FOREIGN AID

House Foreign Affairs Committee (Chairman Hamilton, D-Ind.) will hold a hearing on

the administration's FY94 foreign aid request. time TBA 2172 Rayburn Bldg. date TBA
Witness scheduled: Warren M. Christopher - secretary of State
Note: This hearing was originally scheduled for May 4.

ORGANIZING FOR INTERNATIONAL AFFAIRS IN THE 1990S

International Operations Subcommittee (Chairman Berman, D-Calif.) of House Foreign Affairs Committee will hold a series of hearings on how U.S. foreign affairs organizations should be configured in the 1990s.

Time and room TBA date TBA

Agenda & witnesses scheduled: Organizing the national security establishment

Richard Holbrook - Carnegie Endowment for International Peace; Jan Nolan - Brookings Institution; Helmut Sonnenfeldt - former counselor, State Department

Note: This hearing was originally scheduled for March 30.

Government Operations

225-5051

C-17 AIRLIFTER

Legislation and National Security Subcommittee (Chairman Conyers, D-Mich.) will hold a hearing on the C-17 airlifter program.

time TBA room TBA date TBA

Note: This hearing was previously scheduled for April 29.

Judiciary

225-3951

★ TRENDS IN THE U.S. PRISON POPULATION

Intellectual Property and Judicial Administration Subcommittee (Chairman Hughes, D-N.J.) of House Judiciary Committee will hold an oversight hearing on present and future trends on the composition of the U.S. prison population.

10am 2237 Rayburn Bldg. May 12

★ COMMUNITY RELATIONS SERVICE REAUTHORIZATION

Civil and Constitutional Rights Subcommittee (Chairman Edwards, D-Calif.) of House Judiciary Committee will hold a hearing on the FY94 budget for the Community Relations Service of the Department of Justice.

10am 2237 Rayburn Bldg. May 13

INTERSTATE GUN RUNNING

Crime and Criminal Justice Subcommittee (Chairman Schumer, D-N.Y.) of House Judiciary Committee will hold a hearing on interstate gun running.

time TBA room TBA date TBA

Note: This hearing was originally scheduled for March 4.

■ Revised listing

House continued. . .

Merchant Marine & Fisheries

225-4047

VESSEL POLLUTION

Coast Guard and Navigation Subcommittee (Chairman Tauzin, D-La.) of House Merchant Marine and Fisheries Committee will hold a hearing on cruise ship pollution and Coast Guard enforcement of vessel pollution prevention laws.

10am 1334 Longworth Bldg. **May 11**

MERCHANT MARINE SUBCOMMITTEE MARKUP

Merchant Marine Subcommittee (Chairman Lipinski, D-Ill.) will mark up the FY94 authorization for the Maritime Administration and pending legislation.

2pm 1334 Longworth Bldg. **May 11**

Note: This markup was originally scheduled for May 6.

FULL COMMITTEE MARKUP

The full committee (Chairman Studds, D-Mass.) will mark up the committee's budget reconciliation plan and pending legislation.

10am 1334 Longworth Bldg. **date TBA**
week of
May 10

Agenda:

Budget Reconciliation Plan

Note: The panel did not complete work on its budget reconciliation plan on May 5.

Natural Resources

225-2761

★ PUBLIC LANDS BILLS

National Parks, Forests and Public Lands Subcommittee (Chairman Vento, D-Minn.) of House Natural Resources Committee will hold a hearing on pending public lands legislation.

10am 1324 Longworth Bldg. **May 11**

Agenda:

HR 433 - A bill to increase the size of the Big Thicket National Preserve in the state of Texas by adding the Village Creek Corridor unit, the Big Sandy Corridor unit, the Canyonlands unit, the Sabine River Blue Elbow unit, and the addition to the Lower Neches Corridor unit.

S 80 - A bill to increase the size of the Big Thicket National Preserve in the state of Texas by adding the Village Creek Corridor Unit, the Big Sandy Corridor Unit, and the Canyonlands Unit.

HR 1347 - A bill to modify the boundary of Hot Springs National Park.

★ FULL COMMITTEE BUSINESS

House Natural Resources Committee (Chairman Miller, D-Calif.) will meet to discuss pending business.

9:45am 1324 Longworth Bldg. **May 12, 19, 26**

Agenda:

May 19 To be announced

May 26 To be announced

May 12 To be announced

★ *New listing*

★ SUBCOMMITTEE MARKUP: GEOTHERMAL STEAM

Energy and Mineral Resources Subcommittee (Chairman Lehman, D-Calif.) of House Natural Resources Committee will mark up pending legislation.

10am 340 Cannon Bldg. **May 18**

Agenda:

HR 1137 - A bill to amend the Geothermal Steam Act of 1970 (30 U.S. Code 1001-1027), and for other purposes.

★ BUREAU OF LAND MANAGEMENT

National Parks, Forests and Public Lands Subcommittee (Chairman Vento, D-Minn.) of House Natural Resources Committee will hold a hearing on the reauthorization of the Bureau of Land Management.

10am 1324 Longworth Bldg. **May 18**

Agenda:

HR 1603 - A bill to authorize appropriations for programs, functions, and activities of the Bureau of Land Management for fiscal years 1994 through 1997, to improve the management of public lands, and for other purposes.

★ FEDERAL HELIUM PROGRAM

Energy and Mineral Resources Subcommittee (Chairman Lehman, D-Calif.) of House Natural Resources Committee will hold an oversight hearing on the administration of the Federal Helium Program.

10am 1324 Longworth Bldg. **May 20**

★ NATIONAL PARKS SUBCOMMITTEE BUSINESS

National Parks, Forests and Public Lands Subcommittee (Chairman Vento, D-Minn.) of House Natural Resources Committee will meet to discuss pending business.

10am room TBA **May 25**

Agenda:

To be announced

★ OVERSIGHT SUBCOMMITTEE BUSINESS

Oversight and Investigations Subcommittee (Chairman Miller, D-Calif.) of House Natural Resources Committee will meet to discuss pending business.

10am 1324 Longworth Bldg. **May 25**

Agenda:

To be announced

★ ENERGY SUBCOMMITTEE BUSINESS

Energy and Mineral Resources Subcommittee (Chairman Lehman, D-Calif.) of House Natural Resources Committee will meet to discuss pending business.

10am 1324 Longworth Bldg. **May 27**

Agenda:

To be announced

Post Office & Civil Service

225-4054

■ FULL COMMITTEE MARKUP

House Post Office and Civil Service Com-

mittee (Chairman Clay, D-Mo.) will meet to mark up pending legislation.

9:45am 311 Cannon Bldg. **May 12**

Agenda:

Budget Reconciliation recommendations

HR 576 - A bill to amend title 39, U.S. Code, to provide the authority to extend to essential civilian personnel serving in support of military operations abroad, the same mailing privileges as are available to members of the armed forces serving in the same area, ridor unit.

HR 588 - A bill to designate the facility of the U.S. Postal Service located at 20 South Main in Beaver, Utah, as the "Abe Murdock United States Post Office Building."

HR 1779 - A bill to designate the facility of the U.S. Postal Service located at 401 South Washington Street in Chillicothe, Mo., as the "Jerry L. Litton United States Post Office Building".

★ FEDERAL EMPLOYEE LEAVE SHARING

Compensation and Employee Benefits Subcommittee (Chairman Norton, D-D.C.) of House Post Office and Civil Service Committee will hold a hearing on the reauthorization of the Federal Employees Leave Sharing Act of 1988 (P.L. 100-566).

2pm 311 Cannon Bldg. **May 13**

★ FEDERAL PHYSICIANS COMPARABILITY ALLOWANCES

Compensation and Employee Benefits Subcommittee (Chairman Norton, D-D.C.) of House Post Office and Civil Service Committee will hold a hearing on the reauthorization of the Federal Physicians Comparability Allowances Act of 1978.

10am 311 Cannon Bldg. **May 19**

★ MAIL FRAUD

Postal Operations and Services Subcommittee (Chairman Collins, D-Mich.) of House Post Office and Civil Service Committee will hold a hearing to examine issues relating to mail fraud.

10am 304 Cannon Bldg. **May 19**

CLINTON'S PLAN AND THE FEDERAL WORKFORCE

Compensation and Employee Benefits Subcommittee (Chairman Norton, D-D.C.) of House Post Office and Civil Service Committee will hold a hearing to review the impact of President Clinton's economic recovery plan on the federal civilian workforce.

Time TBA 311 Cannon Bldg. **date TBA**

Note: This hearing was originally scheduled for April 28.

Public Works & Transportation

225-4472

■ ARMY CORPS OF ENGINEERS

Investigations and Oversight Subcommittee (Chairman Borski, D-Pa.) will continue hearings on reorganizing the Army Corps of Engineers.

1:30pm 2253 Rayburn Bldg. **May 11 (tentative)**

■ *Revised listing*

House continued...

■ CLEAN WATER ACT

Water Resources and Environment Subcommittee (Chairman Applegate, D-Ohio) of House Public Works and Transportation Committee will hold a series of hearings on reauthorization of the Clean Water Act.

10am 2167 Rayburn Bldg. **May 11**
9:30am 2167 Rayburn Bldg. **May 12**

AIRPORT IMPROVEMENTS

Aviation Subcommittee (Chairman Oberstar, D-Minn.) of House Public Works and Transportation Committee will hold a hearing on legislation to reauthorize the Airport Improvement Program.

9:30am 2167 Rayburn Bldg. **May 19**

Science, Space & Technology

225-6371

ELECTRIC VEHICLES

Energy Subcommittee (Chairman Lloyd, D-Tenn.) of House Science, Space and Technology Committee will hold a hearing on the status of electric vehicle developments in the U.S. The hearing will focus on vehicle technologies, vehicle components and efforts to develop the infrastructure systems necessary to support electric vehicles.

1:30pm 2325 Rayburn Bldg. **May 11**

HIGH PERFORMANCE COMPUTING

Science Subcommittee (Chairman Boucher, D-Va.) of House Science, Space and Technology Committee will hold hearings on legislation that would promote development of applications of research on high-performance computing and high-speed computer networking.

9am 2318 Rayburn Bldg. **May 11**

Agenda:

HR 1757 - A bill to provide for a coordinated federal program to accelerate development and dissemination of applications of high-performance computing and high-speed networking, and for other purposes.

Witnesses scheduled:

Donald Lindberg - director, National Coordinating Office for High Performance Computing and director, National Library of Medicine; Malvin H. Kalos - director, Cornell Theory Center; Jeff Kalb - president and CEO, MasPar Computer Corporation; Edward Masi - president, Supercomputer System Division, Intel Corporation; Representative TBA - Computing Research Association; Representative TBA - Grand Challenge Consortia

ENERGY EFFICIENCY AND RENEWABLES

Energy Subcommittee (Chairman Lloyd, D-Tenn.) of House Science, Space and Technology Committee will hold a hearing on energy efficiency and renewable energy technologies, and the role of the Department of Energy in expediting these technologies.

1:30pm 2318 Rayburn Bldg. **May 13**

★ SUBCOMMITTEE MARKUP: FY94 AUTHORIZATIONS

Technology, Environment and Aviation

★ *New listing*

Subcommittee (Chairman Valentine, D-N.C.) of House Science, Space and Technology Committee will mark up pending authorization bills for FY94.

May 19

Agenda:

HR 1994 - A bill to authorize appropriations for environmental research, development, and demonstration for fiscal years 1994, and for other purposes.

FY94 authorization for National Aeronautics and Space Administration (NASA) Aeronautics programs (draft legislation)

HUBBLE SPACE TELESCOPE REPAIR MISSION

Space Subcommittee (Chairman Hall, D-Texas) of House Science, Space and Technology Committee will hold a hearing on the planning process of the scheduled December 1993 shuttle mission to repair the Hubble Space Telescope.

time TBA 2325 Rayburn Bldg. **date TBA**

Note: This hearing was originally scheduled for March 16.

Small Business

225-5821

CLINTON ADMINISTRATION AND SMALL BUSINESS

House Small Business Committee (Chairman LaFalce, D-N.Y.) will hold a hearing on the Clinton administration's general economic policy and its impact on small businesses.

10am 2359 Rayburn Bldg. **May 11**

Witnesses scheduled:

Laura D'Andrea Tyson - chair, Council on Economic Advisors

REGIONAL BUSINESS CONCERNS

House Small Business Committee (Chairman LaFalce, D-N.Y.) will hold a "roundtable" discussion with a number of small business owners about the difficulties facing small businesses in various regions around the country.

9:30am 2359 Rayburn Bldg. **May 12**

TECHNOLOGY INITIATIVE

House Small Business Committee (Chairman LaFalce, D-N.Y.) will hold a hearing on Clinton administration proposals to shift the emphasis on research and development from defense to commercial use, fund new projects in manufacturing for emerging technologies and establish technology extension service centers.

10:30am 2359 Rayburn Bldg. **May 13**

Witnesses scheduled:

John H. Gibbons - assistant to the President, Science and Technology

Veterans' Affairs

225-3527

FULL COMMITTEE MARKUP: BUDGET RECONCILIATION

House Veterans' Affairs Committee (Chairman Montgomery, D-Miss.) will mark up draft legislation to comply with budget reconciliation instructions.

9am 334 Cannon Bldg. **May 11**

Agenda:

HR - - To comply with budget reconciliation instructions

VA SMALL BUSINESS LOANS

Housing and Memorial Affairs Subcommittee (Chairman Sangmeister, D-Ill.) of House Veterans' Affairs Committee will hold an oversight hearing on the Department of Veterans Affairs' small business loan program.

9:30am 334 Cannon Bldg. **May 13**

VA USE OF OUTSIDE MEDICAL SERVICES

Oversight and Investigations Subcommittee (Chairman Evans, D-Ill.) of House Veterans' Affairs Committee will hold an oversight hearing on the Department of Veterans Affairs (VA) use of outside services to provide patients with rare medical specialists.

8:30am 334 Cannon Bldg. **May 19**

VA VOCATIONAL REHABILITATION PROGRAM

Education, Training and Employment Subcommittee (Chairman Montgomery, D-Miss.) of House Veterans' Affairs Committee will hold an oversight hearing on the Department of Veterans Affairs' (VA) vocational rehabilitation program.

9:30am 334 Cannon Bldg. **May 20**

Ways & Means

225-3625

■ FULL COMMITTEE MARKUP: RECONCILIATION

House Ways and Means Committee (Chairman Rostenkowski, D-Ill.) will mark up draft proposals making reductions in programs under the committee's jurisdiction in order to bring overall expenditures in line with the budget resolution passed earlier by Congress. The deadline for committee action is May 14.

time TBA 1100 Longworth Bldg. **date TBA**

tentative week of May 10

Note: The markup schedule is uncertain, it may reconvene on very short notice

FAILURE TO FILE INCOME TAX RETURNS

Oversight Subcommittee (Chairman Pickle, D-Texas) of House Ways and Means Committee will hold a hearing on taxpayers who fail to file federal tax returns.

time TBA room TBA **date TBA**

Note: This hearing was originally scheduled for April 15.

INTEGRATION OF CORPORATE & INDIVIDUAL TAX SYSTEMS

Select Revenue Measures Subcommittee (Chairman Rangel, D-N.Y.) of House Ways and Means Committee will hold a hearing on issues related to the integration of the corporate and individual tax systems.

Time TBA room TBA **date TBA**

LIMITED LIABILITY COMPANIES

Select Revenue Measures Subcommittee

■ *Revised listing*

House continued. . .

(Chairman Rangel, D-N.Y.) of House Ways and Means Committee will hold a hearing on how current tax laws apply to limited liability companies. Limited liability companies are entities that have recently been allowed under many state laws. They are businesses that appear to enjoy the corporate benefit of limited liability for their owners under state law as well as the favorable pass-through tax treatment reserved for partnerships under federal income tax law.

time TBA room TBA date TBA

VALUE-ADDED TAX

Select Revenue Measures Subcommittee (Chairman Rangel, D-N.Y.) of House Ways and Means Committee will hold hearings on issues relating to a value-added tax (VAT). The first session will focus on effects of a VAT on working Americans. The second hearing will look at the international trade implications of a VAT.

Time TBA room TBA date TBA

Note: The second hearing will be a joint hearing with the Trade Subcommittee.

Other continued. . .

the Western Senate Coalition (Sens. DeConcini, D-Ariz., Hatch, R-Utah, Reid, D-Nev. and Stevens, R-Alaska) will hold a news briefing to discuss their view that public lands in the West should remain open to multiple uses.

10:30am EF-100 Capitol Bldg. **May 10**
Contact: Peter Soh at 202-828-8889

BANKRUPTCY ISSUES

American Bankruptcy Institute will sponsor a conference on the economic impact of bankruptcy.

10am to 2:30pm J.W. Marriott Hotel **May 10**
Contact: 202-543-1234

Note: There is a \$50 charge for this event (which includes lunch), for reservations call the number listed above.

U.S. TRADE POLICY

Economic Strategy Institute and the Pacific Basin Economic Council will sponsor a luncheon meeting to hear Rep. Richard A. Gephardt, D-Mo., discuss U.S. Trade Policy At the Crossroads.

noon Hotel Washington, 15th St. and Pennsylvania Ave. N.W. **May 11**

Contact: Karen Golemski at 202-728-0993

Note: There is a \$40 charge for this event. For reservations call the number listed above or send a check, made payable to Economic Strategy Institute, to:

Economic Strategy Institute
1100 Connecticut Ave. N.W.
Suite 1300
Washington, D.C. 20036
Deadline is May 7

Joint Organization of Congress

226-0650

CONGRESSIONAL REORGANIZATION

Joint Organization of Congress Committee (Chairman Boren, D-Okla.) will continue hearings on proposals to revise and reorganize the operations of Congress.

2pm HC-5 Capitol Bldg. **May 11**
10am SC-5 Capitol Bldg. **May 13**
2pm HC-5 Capitol Bldg. **May 18**
10am SC-5 Capitol Bldg. **May 20**
2pm HC-5 Capitol Bldg. **May 25**

10am SC-5 Capitol Bldg. **May 27**

Witnesses scheduled:

May 11

2pm: committee chairman and ranking Republican
TBA

Joint Printing

224-5241

GPO OVERSIGHT

Joint Printing Committee (Chairman Ford, D-Ky.) will hold a hearing on the congressional printing and other activities of the Government Printing Office (GPO).

9:30am SR-301 Russell Bldg. **May 11**

Conference Committees Listings

NIH REAUTHORIZATION

Conferees will meet on legislation revising and expanding programs of the National Institutes of Health.

time TBA room TBA date TBA

Senate Conferees: Kennedy, Simon, Metzbaum, Kassebaum, Jeffords

House Conferees:

From the Committee on Energy & Commerce, for consideration of the Senate bill, and the House amendment, and modifications committed to conference: Dingell, D-Mich.; Waxman, D-Calif.; Wyden, D-Ore.; Moorhead, R-

Calif.; and Bliley, R-Va.

As additional conferees from the Committee on Education

& Labor, for consideration of section 2013 of the Senate bill, and modifications committed to conference: Ford, D-Mich., Martinez, D-Calif. and Goodling, R-Pa.

As additional conferees from the Committee on the Judiciary, for consideration of section 2011 of the Senate bill, and modifications committed to conference: Brooks, D-Texas; Mazzoli, D-Ky.; and McCollum, R-Fla.

HEALTH-CARE

QUALITY MEASUREMENT

Johns Hopkins University School of Hygiene and Public Health and GLAXO will sponsor a congressional and press briefing on measuring outcomes and quality of care.

noon SH-902 Hart Bldg. **May 11**

Contact: Pam Jackson at 202-544-1880

Note: There is no charge for this event, but reservations are required. Call the number listed above for more information. Deadline for reservations is May 7

MISSILE DEFENSE ISSUES

Institute for Foreign Policy Analysis will sponsor a series of breakfast seminars on missile defense issues.

8am to 9am Capitol Hill Club **May 11, 13, June 10, 15, 17, July 15**

Contact: Peter Huessy at 202-463-7942

Agenda & witnesses scheduled:

May 11 The Promise of Missile Defense Technology -- Options for the U.S.

Industry representatives

May 13 Proliferation of Weapons of Mass Destruction and the U.S. Response

Dan Poneman - National Security Council

June 10 The Threat, Current Capabilities and emerging Missile Defense Possibilities

Rep. Jon Kyl, R-Ariz.

June 15 The Role of the U.S. Air Force in Missile Defense Policy

Gen Merrill McPeak

June 17 Can a Congressional Consensus on Missile Defense Policy be Forged

Rep. Dave McCurdy, D-Okla.

July 15 New Directions in Missile Defense Policy

Other Events

The *Monitor* has received notice of the following events scheduled to take place in Washington. Associations, non-profit organizations and public interest groups who wish to have events listed in the section should send pertinent information to: The Congressional Monitor, Other Events Editor, 1414 22nd St. N.W., Washington, D.C. 20037. Notices must include a telephone number. Notices may be transmitted by facsimile to 202-728-1862, attn:

★ *New listing*

Robert Healy. Only events related to Congress can be listed. Deadline is noon two days before the date of issue (i.e. Monday noon for Wednesday issue). The editors reserve the right to edit or reject any submission. For further information call 202-887-8686.

★ WESTERN PUBLIC LANDS USE POLICY

Western States Public Lands Coalition and

■ *Revised listing*

Other continued...

Sen. Sam Nunn, D-Ga.
date TBA The Politics of Missile Defense
Sen. Trent Lott, R-Miss.
date TBA Senate Perspectives on Missile Defense
Sen. James Exon, D-Neb.
date TBA Post Cold War Defense Policy: The Role of Missile Defense
Vice President Al Gore
date TBA Expanding the Strategic Triad -- The Role of Defense
Sen. Robert Smith, R-N.H.
date TBA The Bottom Up Review at DOD: New Directions in Missile Defense
John Deutch
date TBA Weapons of Mass Destruction and Threats to U.S. Security: Missile Defense Possibilities
Dick Cheney - former secretary of Defense
date TBA Beyond Cold War Realities: New Directions in Missile Defense Policy
Les Aspin - secretary of Defense
Note: This series is for members of Congress and their defense policy staff only. For information and reservations call Peter Huessy at 202-463-7942

EDUCATION, TRAINING & ECONOMIC DEVELOPMENT

Career College Association will sponsor a seminar on "Securing America's Future: Building a High Skills Economy." The session will review the role that education and training will play in developing the economy.

Time TBA Renaissance Hotel **May 11**
Contact: Sandra Smith at 202-336-6750

TRADE POLICY IN 1993

Association of Women in International Trade will sponsor a dinner meeting to hear a discussion on United States trade policy in 1993.

6:45pm Sheraton City Centre Hotel, 1143 Connecticut Ave. N.W. **May 11**
Contact: Barbara Linney at 202-637-0312

Note: There is a charge for this event of \$35 for members and \$45 for non-members. For reservations call the number listed above.

HEALTH CARE ISSUES

National Association of Manufacturers Will sponsor a breakfast issues briefing with Ira Magaziner, who will discuss health-care issues.

8:30am Grand Hyatt Hotel, 1000 H St. N.W. **May 12**

Contact: Tiffany Adams at 202-637-3115

Note: There is a charge for this event of \$35 for members and \$50 for non-members. For reservations send a check, made payable to NAM Issues Briefing Breakfast, to:

NAM Issues Briefing Breakfast
1331 Pennsylvania Ave. N.W.
Suite 1500-North Lobby
Attn: Betty Williams

Reservations not used must be canceled 48 hours before the event to receive a refund.

FOREST/CLIMATE RESEARCH

Environmental and Energy Study Institute will sponsor a briefing on new research on opportunities to slow deforestation and climate change.

2pm SR-253 Russell Bldg. **May 14**
Contact: Hayes McCarthy at 202-628-1400

a panel discussion for congressional staff members and other interested persons on bankruptcy act amendments (S 540) and on other pending legislation.

10am to noon S-207 Capitol Bldg. **May 17**
Contact: Laura Hamm at 202-962-7360

ENVIRONMENTAL PROTECTION AT HOME

Environmental and Energy Study Conference will sponsor a series of briefings on what consumers can do to save energy, curb pollution and reduce exposure to environmental health threats.

noon EF-100 Capitol Bldg. **May 17**
Contact: 202-226-3300

Agenda:

Biotechnology and food safety
Samples of the "flavor saver" tomato will be provided

SMALL BUSINESS & THE LEGAL SYSTEM

National Federation of Independent Business will sponsor a meeting on small business owners and the American legal system, focusing on ending barriers to innovation and competitiveness.

9am National Press Club **May 19**
Contact: Kim Brandow at 202-554-0822

Highlights:

9am: Welcome and opening
9:30am: Is a National Product Liability Law Worth Having? 10:15am: What's Up in the States? A Conversation with State Supreme Court Justices
11:15am: Small Business Owners and their Employees
12:30pm: Lunch - Small Business Owners and Their Regulators: Constitutional Trends and Prospects
1:45pm: Strategic Approaches to Tort and Civil Justice Reform
2:45pm: Small Business Owners and Their Neighbors

OUTLOOK FOR CLINTON'S AGENDA

Congressional Quarterly and the Brookings Institution will sponsor a conference on "Beyond the First 100 Days...the Outlook for Clinton's Agenda.

9am to 4:30pm Washington Court Hotel, 525 New Jersey Ave. N.W. **May 19**
Contact: Margaret Halstead at 202-797-6299 or Alka Desai at 202-797-6172. FAX: 202-797-6133.

Highlights:

9:15am: The Economic Agenda
10:45am: National Security and Foreign Policy
12:45pm: Relations Between the New Administration and the New Congress
1:45pm: The Domestic Agenda: A Jump Start for Head Start and a New Welfare Path?
3:15pm: Breakout sessions
Energy and the Environment
Defense Spending
Health Care Revision

Note: There is a \$450 charge for this event, which includes lunch.

EDUCATION ISSUES

National Alliance of Businesses will hold a forum to discuss education issues. The meetings will focus on advancing public/private collaborations for education reform.

Time TBA Loews L'Enfant Plaza Hotel **May 26, 27, 28**
Contact: Mike Puzia at 202-289-2903

Note: There is a charge for this event of \$525 for business and \$425 for educators/non-profit/government. For information and reservations call the number listed above.

PUBLIC POLICY LEADERSHIP TRAINING FOR WOMEN

Women in Government Relations Institute will sponsor a five-month public policy training and professional development program for women. The program will stress development of critical thinking skills to plan a legislative strategy, the practice of decision-making and problem-solving skills as they relate to a political issues, and ways to identify and mobilize community resources to build constituent support, how to take risks and develop initiative and adapt to new situations and how to produce an action-oriented proposal to solve a public policy problem.

Time TBA site TBA **May 31 (this is the deadline for applications)**

Contact: 202-347-5432

Note: The deadline for applications is May 31.

UNDERSTANDING CONGRESS

Congressional Quarterly will sponsor a basic-level, introductory seminar on understanding Congress.

9am to 1pm 1414 22nd St. N.W. **June 7**
Contact: 202-887-8620 (toll-free 1-800-432-2250, ext. 620; fax 202-728-1863)

Note: There is a \$250 charge for this event. For reservations or information call the number listed above.

RESEARCH WORKSHOP ON CONGRESSIONAL DOCUMENTS

Congressional Quarterly will sponsor a workshop on how to use congressional documents.

9am to 1pm Congressional Quarterly, 1414 22nd St. N.W. **June 8**
Contact: 202-887-8620 (toll-free 1-800-432-2250, ext. 620; fax 202-728-1863)

Note: There is a \$250 charge for this event. For reservations or information call one of the numbers listed above.

CONGRESS & THE LEGISLATIVE PROCESS

Congressional Quarterly will sponsor a seminar on Congress and the legislative process.

9am to 4pm Congressional Quarterly, 1414 22nd St. N.W. **June 9**
Contact: 202-887-8620 (toll-free 1-800-432-2250, ext. 620; fax 202-728-1863)

Note: There is a \$325 charge for this event. For reservations or information call one of the numbers listed above.

UNDERSTANDING CONGRESSIONAL BUDGETING

Congressional Quarterly will sponsor a seminar on understanding congressional budgeting.

9am to 1pm 1414 22nd St. N.W. **June 10**
Contact: 202-887-8620 (toll-free 1-800-432-2250, ext. 620; fax 202-728-1863)

Note: There is a \$250 charge for this event. For reservations or information call the number listed above.

★ BANKRUPTCY ACT AMENDMENTS

National Bankruptcy Conference will hold

★ *New listing*

■ *Revised listing*

Status of Appropriations — Fiscal 1994

Week of May 10

FULL COMMITTEE

House: 225-2771; Senate: 224-3471

AGRICULTURE

House: 225-2638; Senate: 224-7240

House subcmte hearings completed: **April 22**
Senate subcmte hearings scheduled: **May 11**

COMMERCE, JUSTICE, STATE, & THE JUDICIARY

House: 225-3351; Senate: 224-7277

House subcmte hearings scheduled: **May 7, 11, 12, 14**
House subcmte markup scheduled:

DEFENSE

House: 225-2847; Senate: 224-7255

House subcmte hearings scheduled: **May 11, 12, 13**
Senate subcmte hearings scheduled: **May 11, 12, 13**

DISTRICT OF COLUMBIA

House: 225-5338; Senate: 224-7236

House subcmte hearings scheduled: **May 11, 12, 13**
Senate subcmte hearings scheduled: **May 11, 13**

ENERGY & WATER DEVELOPMENT

House: 225-3421; Senate: 224-7260

FOREIGN OPERATIONS

House: 225-2041; Senate: 224-7209

Senate subcmte hearings scheduled: **May 12**

INTERIOR

House: 225-3081; Senate: 224-7233

House subcmte hearings scheduled: **May 7, 10, 11, 12, 13**
Senate subcmte hearings scheduled: **May 11, 12**

LABOR/HHS/EDUC

House: 225-3508; Senate: 224-7283

House subcmte hearings scheduled: **May 7, 10, 11, 12, 13**
House subcmte markup scheduled:
Senate subcmte hearings scheduled: **May 7, 12, 14**

LEGISLATIVE BRANCH

House: 225-5338; Senate: 224-7338

House subcmte hearings completed: **February 3**
Senate subcmte hearings completed: **February 26**

MILITARY CONSTRUCTION

House: 225-3047; Senate: 224-7255

House subcmte hearings completed: **April 29**

TRANSPORTATION

House: 225-2141; Senate: 224-7245

House subcmte hearings scheduled: **May 7, 11, 12**
Senate subcmte hearings scheduled: **May 13**

TREASURY/POSTAL SERVICE

House: 225-5834; Senate: 224-6280

House subcmte hearings completed: **April 29**
House subcmte markup scheduled:

VA, HUD & INDEPENDENT AGENCIES

House: 225-3241; Senate: 224-7211

House subcmte hearings scheduled: **May 7**
Senate subcmte hearings scheduled: **May 13**

FY93 SUPPLEMENTAL

Bill No.: HR 1335
House full cmte markup completed: **March 9**
Passed House: **March 18**
Senate full cmte markup completed: **March 23**
Passed Senate: **April 21**

The Senate amended HR 1335 to delete everything except funds to pay for extended unemployment benefits. On April 22 the House concurred in the Senate amendment clearing the measure for the White House

House Floor Action

Week of May 3

Monday, May 3:

No legislative business scheduled

Tuesday, May 4:

Under suspension of the rules

- HR 995 A bill to amend title 38, U.S. Code, to improve reemployment rights and benefits of veterans and other benefits of employment of certain members of the uniformed services, and for other purposes passed by voice
- HR 578 A bill to provide for recovery of costs of supervision and regulation of investment advisers and their activities, and for other purposes passed by voice
- HR 616 A bill to amend the Securities Exchange Act of 1934 to permit members of national securities exchanges to effect certain transactions with respect to accounts for which such members exercise investment discretion passed by voice
- HR 682 A bill to authorize the American Battle Monuments Commission to establish a memorial, in the District of Columbia or its environs, to honor members of the armed forces who served in World War II, and to commemorate the participation of the United States in that war passed by voice
- HConRes 71 Concurrent resolution authorizing the use of the Capitol grounds for the 12th annual National Peace Officers' Memorial Service passed by voice
- HConRes 82 Concurrent resolution authorizing the use of the Capitol grounds for the Greater Washington Soap Box Derby passed by voice
- HConRes 81 Concurrent resolution authorizing the 1993 Special Olympics Torch Relay to be run through the Capital Grounds passed by voice
- HR 1345 A bill to designate the federal building located at 280 South First Street in San Jose, Calif., as the "Robert F. Peckham United States Courthouse and the Federal Building." passed by voice
- HR 1346 A bill to redesignate the federal building located on St. Croix, Virgin Islands, as the "Almeric L. Christian Federal Building." passed by voice
- HR 791 A bill to name the U.S. courthouse in Benton, Ill., the "James L. Foreman Courthouse." passed by voice
- HR 1513 A bill to designate the U.S. courthouse located at 10th and Main Streets in Richmond, Va., as the "Lewis F. Powell, Jr. United States Courthouse." passed by voice
- HR 1303 A bill to designate the Federal Building and U.S. Courthouse located at 402 East State Street in Trenton, N.J., as the "Clarkson S. Fisher Federal Building and United States Courthouse." passed by voice

Wednesday, May 5:

- HR 2 National Voter Registration Act of 1993

Rule. H Res 163, agreed to by yeay-nay vote: 253-168

Conference report considered in the House
LIVINGSTON, R-La., motion to recommit the conference report to the Committee of Conference with instructions to report it back forthwith containing the provisions of section 13 of the Senate amendment requiring documentation relating to citizenship for voter registration applications, rejected by yeay-nay vote: 170-253

Conference report agreed to in House by yeay-nay vote: 259-164

Conference Report on measure now cleared for Senate action.

HR 820

National Competitiveness Act of 1993

Rule. H Res 164, agreed to by voice vote

House completed all general debate on the measure but came to no resolution thereon; consideration of amendments will begin on Thursday, May 6, 1993

[Continued May 6]

Thursday, May 6:

Convenes at noon

HR 820

A bill to amend the Stevenson-Wydler Technology Act of 1980 to enhance manufacturing technology development and transfer, to authorize appropriations for the Technology Administration of the Department of Commerce, including the National Institute of Standards and Technology, and for other purposes continue consideration

Friday, May 7:

No legislative business scheduled

Week of May 10

Monday, May 10:

Convenes at noon

No legislative business scheduled

Tuesday, May 11:

Under suspension of the rules:

HR 1040

A bill to amend title 10, U.S. Code, to revise and standardize the provisions of law relating to appointment, promotion and separation of commissioned officers of the reserve components of the armed forces, to consolidate in a new subtitle the provisions of law relating to the reserve components, and for other purposes begin consideration

HR 1378

A bill to amend title 10, U.S. Code, with respect to applicability of qualification requirements for certain acquisition positions in the Department of Defense begin consideration

HR 194

A bill to withdraw and reserve certain public lands and minerals within the state of Colo-

House Floor *continued* . . .

- HR 843 **rado for military uses, and for other purposes**
begin consideration
A bill to withdraw certain lands located in the Coronado National Forest from the mining and mineral leasing laws of the United States, and for other purposes begin consideration
- HR 240 **A bill to provide for the protection of the Bodie Bowl area of the state of California, and for other purposes** begin consideration

Wednesday, May 12 &

Thursday, May 13:

Convenes at 2pm Wednesday

Convenes at 11am Thursday

HR 820

A bill to amend the Stevenson-Wydler Technology Act of 1980 to enhance manufacturing technology development and transfer, to authorize appropriations for the Technology Administration of the Department of Commerce, including the National Institute of Standards and Technology, and for other purposes continue consideration

Friday, May 14:

Senate Floor Action

Week of May 3

Monday, May 3:

Not in session

Tuesday, May 4:

S 171

Department of the Environment Act of 1993

[Continued from April 29]

GOVERNMENTAL AFFAIRS COMMITTEE substitute amendment, as amended, agreed to by unanimous consent, under previous order

BOND, R-Mo., amendment no. 340, to the above **GOVERNMENTAL AFFAIRS COMMITTEE** substitute amendment, to provide that a single federal agency shall be responsible for making technical determinations with respect to wetland or converted wetland on agricultural lands, as amended, agreed to by voice vote

BAUCUS, D-Mont., substitute amendment no. 341, to the above **BOND, R-Mo.**, amendment no. 340, agreed to by voice vote

Earlier, the Senate failed to table the BAUCUS, D-Mont., amendment no. 341, by yeay-nay vote: 40-54

MITCHELL, D-Maine, unanimous consent request providing for further consideration of the bill and amendments; for a vote on adoption of the above **GOVERNMENTAL AFFAIRS COMMITTEE** substitute amendment, to be followed by the third reading and a vote on passage of the bill; and that immediately upon passage of the bill, the managers' title amendment be agreed to, with the preceding all occurring without any intervening action or debate, agreed to by unanimous consent

S 171, as amended, passed Senate by yeay-nay vote: 79-15

S 349

Lobbying Disclosure Act of 1993

GOVERNMENTAL AFFAIRS COMMITTEE amendment, pending at recess

PRESSLER, R-S.D., amendment no. 342,

to amend the Federal Election Campaign Act of 1971 to ban activities of political action committees in federal elections, pending at recess

[Continued May 5]

HConRes 34

Concurrent resolution calling for a continued U.S. policy of opposition to the resumption of commercial whaling, and otherwise expressing the sense of the Congress with respect to conserving and protecting the world's whale, dolphin, and porpoise populations agreed to by unanimous consent

Measure has now cleared both chambers.

S 884

A bill to make technical amendments to the Higher Education Act of 1965 and the Carl D. Perkins Vocational and Applied Technology Act passed by unanimous consent

Wednesday, May 5:

S 349

Lobbying Disclosure Act of 1993

[Continued from May 4]

GOVERNMENTAL AFFAIRS COMMITTEE amendments pending. (Subsequently, the reported **GOVERNMENTAL AFFAIRS COMMITTEE** amendments were withdrawn)

PRESSLER, R-S.D., amendment no. 342, to amend the Federal Election Campaign Act of 1971 to ban activities of political action committees in federal elections. (Pursuant to the Senate agreement to a **MITCHELL, D-Maine**, unanimous-consent request that the **GOVERNMENTAL AFFAIRS COMMITTEE** amendments, including the **PRESSLER**, amendment no. 342, be laid aside and that no call for the regular order with respect to these amendments be in order, except one made by the majority leader, after consultation with the Republican leader; subsequently, the majority leader after consultation with the Republican leader called for the regular order in accordance with the earlier agreement, and with the authority of the majority of the full committee, the reported committee amendments were withdrawn, and the **PRESSLER**, amendment no. 342, thus fell

MITCHELL, D-Maine, unanimous consent request that the committee amendments, including the **PRESSLER, R-S.D.**, amendment

Senate Floor *continued*...

no. 342, be laid aside and that no call for the regular order with respect to these amendments be in order, except one made by the majority leader, after consultation with the Republican leader, agreed to by unanimous consent

LEVIN, D-Mich., and COHEN, R-Maine, amendment no. 343, to clarify certain disclosure requirements, and to make technical corrections, agreed to by voice vote

LEVIN, D-Mich., amendment no. 344, to clarify certain disclosure requirements, and make technical corrections, agreed to by voice vote

WELLSTONE, D-Minn., amendment no. 345, to require the reporting of certain financial benefits provided by lobbyists to covered officials, as amended, agreed to by voice vote

LEVIN, D-Mich. (for WELLSTONE, D-Minn.), perfecting amendment no. 346, to the WELLSTONE, amendment no. 345, agreed to by voice vote

LAUTENBERG, D-N.J., amendment no. 347, to express the sense of the Senate that the Senate should limit the acceptance of gifts, meals and travel by members and staff, pending at recess

MITCHELL, D-Maine, unanimous-consent time-agreement was reached providing for further consideration of the bill, the pending LAUTENBERG, D-N.J., amendment no. 347, proposed thereto, and certain additional amendments to be proposed on Thursday, May 6, 1993

MITCHELL, D-Maine, unanimous-consent request that the following be the only amendments remaining in order to S 349, and that they be considered under the following time limitations, equally divided in the usual form: STEVENS, R-Alaska, amendment regarding filing with the House and Senate, 30 minutes; STEVENS, amendment, requiring disclosure of \$1,000 or more annually, 2 hours; GRAMM, R-Texas, amendment, relevant to the bill requiring disclosure, to which relevant second-degree amendments be in order, no time limitation; SIMON, D-Ill., amendment regarding lobbying of government-sponsored enterprises, 60 minutes; LEVIN, D-Mich., and COHEN, R-Maine, amendment in lieu of the committee amendments, which LEVIN will be eligible to withdraw upon the call for the regular order made by

the majority leader in accordance with the earlier consent agreement; and further that there be one hour remaining on the LAUTENBERG, amendment no. 347, equally divided between STEVENS and LEVIN, with the LAUTENBERG amendment no. 347 laid aside to recur upon the disposition of the STEVENS amendments, if offered, to 1 p.m., whichever is later; that when the Senate resumes consideration of S 349 at 10 a.m., on Thursday, May 6, 1993, STEVENS, be recognized to offer one of his amendments; that except where otherwise stated, these amendments all be first-degree amendments only; that STEVENS be permitted to modify his disclosure amendment after it is offered, providing the modification is relevant to the subject matter of the original amendment; that no motions to recommit be in order, and when these amendments are disposed of, the Senate proceed to third reading and final passage of the bill, without any intervening action or debate, agreed to by unanimous consent

Pursuant to the previous order relating to the bill, the majority leader, having consulted with the Republican leader, called for the regular order in accordance with the earlier agreement, and with the authority of the majority of the full committee, the two committee amendments were withdrawn, and the pending PRESSLER, R-S.D., amendment no. 342, thus fell

[Continued May 6]

Thursday, May 6:

S 349 **A bill to provide for the disclosure of lobbying activities to influence the federal government, and for other purposes** passed 95-2
HR 2 **CONFERENCE REPORT: Motor Voter** began consideration

Friday, May 7:

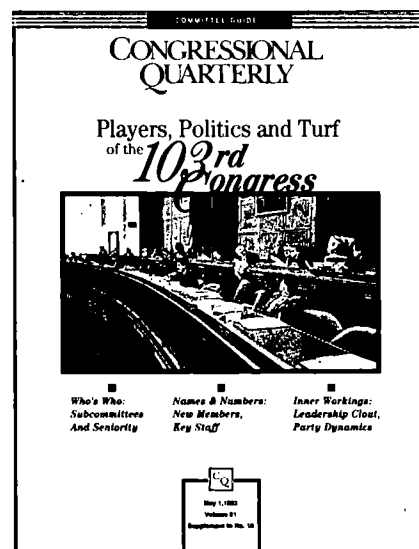
Convenes at 9am
HR 2 **CONFERENCE REPORT: Motor Voter** continue consideration

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