

Mr. WALKER. Mr. Speaker, we have heard a number of speeches from the Democrats today about the unemployment bill that was vetoed the other day by the President, and they made a couple of claims which I think ought to be backed by some facts rather than the kinds of things that we heard on the House floor today.

First of all, they accused the President of vetoing the unemployment bill during the Clarence Thomas hearings because that was an attempt by him to bury the issue. Nothing could be further from the truth. The reason why the President did that was because that is when he got the bill. The Democrats held the bill in the Senate for several days in order to make the political issue that they wanted to make, and then they criticized the President when he almost immediately takes his action when it comes down. A number of us recommended that to the President because we think the promise ought to move forward, hopefully toward a bill that will actually be signable, and we will actually get checks to the unemployed rather than playing politics with the issue.

We also have the claim on the floor today that the President referred to unemployment benefits as garbage. We have pointed out over and over again the speech to which the people refer, that there is no such reference. It seems as though the Democrats are more concerned these days with character assassination than they are with actually getting work done and getting bills passed that help Americans.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MAZZOLI). Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken at the end of legislative business today.

CLEAN VESSEL ACT OF 1991

Mr. STUDDS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1297) to amend the Dingell-Johnson Sport Fish Restoration Act to authorize the use by coastal States of apportionments under that act for construction, renovation, and maintenance of shoreside pumpout stations for marine sanitation devices, as amended.

The Clerk read as follows:

H.R. 1297

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Clean Vessel Act of 1991".

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) The discharge of untreated sewage by vessels is prohibited under Federal law in all areas within the navigable waters of the United States.

(2) The discharge of treated sewage by vessels is prohibited under either Federal or State law in many of the United States bodies of water where recreational boaters operate.

(3) There is currently an inadequate number of pumpout stations for marine sanitation devices where recreational vessels normally operate.

(4) Sewage discharged by recreational vessels because of an inadequate number of pumpout stations is a substantial contributor to the degradation of water quality in the United States.

(b) PURPOSE.—The purpose of this Act is to provide funds to coastal States for the construction, renovation, operation, and maintenance of pumpout stations for marine sanitation devices and facilities to receive wastes from portable toilets.

SEC. 3. DETERMINATION AND PLAN REGARDING STATE MARINE SANITATION DEVICE PUMPOUT STATION NEEDS.

(a) SURVEY.—

(1) IN GENERAL.—Each coastal state shall conduct a survey to determine, using guidance issued under section 4(b)(4), whether pumpout stations for marine sanitation devices and facilities to receive waste from portable toilets are adequate and reasonably available to meet recreational vessel needs within the State.

(2) FUNDING.—Amounts made available to a coastal State pursuant to the amendments made by section 4 may be used to conduct a survey under this subsection.

(b) PLAN.—Based on the survey conducted under subsection (a), each coastal State shall—

(1) develop and submit to the Administrator of the Environmental Protection Agency a plan for the construction or renovation of marine sanitation device pumpout stations and facilities to receive wastes from portable toilets, that are adequate and reasonably available to meet recreational vessel needs in the State; and

(2) submit to the Administrator with that plan a list of all such stations and facilities in the State which are operational on the date of submittal.

(c) PLAN APPROVAL.—

(1) IN GENERAL.—Not later than 60 days after a plan is submitted by a State under subsection (b), the Administrator of the Environmental Protection Agency shall approve or disapprove the plan, based on—

(A) the adequacy of the survey conducted by the State under subsection (a); and

(B) the ability of the plan to meet the construction and renovation needs identified in the survey.

(2) NOTIFICATION OF STATE; MODIFICATION.—The Administrator shall promptly notify the affected Governor of the approval or disapproval of a plan. If a plan is disapproved, the Administrator shall recommend necessary modifications and return the plan to the affected Governor.

(3) RESUBMITTAL.—Not later than 60 days after receiving a plan returned by the Administrator, the Governor shall make the appropriate changes and resubmit the plan.

(d) INDICATION OF STATIONS AND FACILITIES ON NOAA CHARTS.—

(1) IN GENERAL.—The Under Secretary of Commerce for Oceans and Atmosphere shall indicate, on charts published by the National Oceanic and Atmospheric Administration for the use of operators of recreational vessels, the locations of pumpout stations for marine sanitation devices and facilities to receive waste from portable toilets.

(2) NOTIFICATION OF NOAA.—

(A) LISTS OF STATIONS AND FACILITIES.—The Administrator of the Environmental Protection Agency shall transmit to the Under Secretary of Commerce for Oceans and Atmosphere each list of operational stations and facilities submitted by a State under section 3(b)(2), by not later than 30 days after the date of receipt of that list.

(B) COMPLETION OF PROJECT.—The Director of the United States Fish and Wildlife Service shall notify the Under Secretary of the location of each station or facility at which a construction or renovation project is completed by a State with amounts made available under section 8(d)(1)(B) of the Act of August 9, 1950 (popularly known as the "Dingell-Johnson Sport Fish Restoration Act"; 16 U.S.C. 777g), as amended by this Act, by not later than 30 days after the date of the completion of the project.

SEC. 4. MARINE SANITATION DEVICE PUMPOUT STATION FUNDING.

(a) FUNDING.—Section 8 of the Act of August 9, 1950 (16 U.S.C. 777g), popularly known as the "Dingell-Johnson Sport Fish Restoration Act", is amended by adding at the end the following new subsection:

"(d) PUMPOUT STATIONS.—

"(1) USE OF FUNDS AUTHORIZED.—For each of the fiscal years 1992 through 1996, each coastal State shall use 5 percent of the amounts apportioned to it under section 4 to pay not more than 75 percent of the costs of—

"(A) conducting the survey and preparing the plan required by section 3 of the Clean Vessel Act of 1991; and

"(B) constructing, renovating, operating, or maintaining pumpout stations for marine sanitation devices and facilities to receive wastes from portable toilets, in accordance with a plan approved under section 3 of the Clean Vessel Act of 1991.

"(2) WAIVER.—The Secretary of the Interior shall, if requested by the Governor of a coastal State, waive or reduce the percentage of the State's apportionment under section 4 that is required to be used in a fiscal year in accordance with paragraph (1) by any amount which is not needed to implement the plan of the state approved under section 3 of the Clean Vessel Act of 1991.

"(3) EDUCATIONAL PROGRAM.—Notwithstanding paragraph (1), a coastal State may use not more than 20 percent of the amounts required to be used in accordance with that paragraph to conduct a program to educate recreational boaters about the problem of sewage discharges from boats and inform them of the location of pumpout stations for marine sanitation devices.

"(4) REALLOCATION.—

"(A) IN GENERAL.—The Secretary of the Interior shall reallocate any amount that is required to be used in accordance with paragraph (1), or is authorized to be used in accordance with paragraph (3), and which is not expended or obligated by a coastal State within 2 years after it is available for expenditure, among the other coastal States for use in accordance with paragraphs (1) and (3).

"(B) MANNER OF REALLOCATION.—The Secretary of the Interior shall carry out reallocations under this paragraph in the

manner described in section 4 for apportioning remaining appropriations.

"(5) DEFINITIONS.—For the purposes of this subsection—

"(A) the term 'coastal State'—

"(i) means a State of the United States in, or bordering on, the Atlantic, Pacific, or Arctic Ocean; the Gulf of Mexico; Long Island Sound; or one or more of the Great Lakes;

"(ii) includes Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa; and

"(iii) does not include a State for which—

"(I) the ratio of the number of recreational vessels in the State numbered under chapter 123 of title 46, United States Code, to number of miles of shoreline (as that term is defined in section 926.2(d) of title 15, Code of Federal Regulations, as in effect on January 1, 1991), is less than one; and

"(II) the Governor certifies to the Secretary of the Interior that the water quality of the State is not significantly affected by sewage discharged from recreational vessels;

"(B) the term 'marine sanitation device' includes any equipment for installation on board a vessel which is designed to receive, retain, treat, or discharge sewage, and any process to treat such sewage; and

"(C) the term 'recreational vessel' means a vessel—

"(i) manufactured for operation, or operated, primarily for pleasure; or

"(ii) leased, rented, or chartered to another for the latter's pleasure."

(b) NOTIFICATION.—Not later than 6 months after the date of the enactment of this Act, the Director of the United States Fish and Wildlife Service, in consultation with the Administrator of the Environmental Protection Agency, shall notify in writing the fish and game, water pollution control, and coastal zone management authorities of each coastal State of the availability of the amounts under subsection (d) of section 8 of the Act of August 9, 1950 (16 U.S.C. 777g), as amended by this Act, to finance the construction, renovation, operation, and maintenance of pumpout stations for marine sanitation devices and facilities to receive wastes from portable toilets. The notification shall include—

(1) a description of the availability of amounts in the Sport Fish Restoration Account for those purposes;

(2) a projection of the apportionments to the State under that program for each of the succeeding 5 fiscal years;

(3) guidance regarding the types of pumpout facilities that may be appropriate for construction, renovation, operation, or maintenance with those funds and appropriate location of the facilities within a marina or boatyard;

(4) guidance defining what constitutes adequate and reasonably available pumpout facilities in boating areas;

(5) guidance on appropriate methods for disposal of vessel sewage from pumpout facilities;

(6) guidance on appropriate connector fittings to facilitate the sanitary and expeditious discharge of sewage from vessels;

(7) guidance on the coastal waters most likely to be affected by the discharge of sewage from vessels; and

(8) other information that the Administrator of the Environmental Protection Agency considers necessary to promote the establishment of pumpout facilities to reduce sewage discharges from vessels and to protect coastal waters.

SEC. 5. DEFINITIONS.

For the purposes of this Act—

(1) the term "coastal State" has the meaning that term has in section 8(d)(5)(A) of the Act of August 9, 1950, as amended by this Act; and

(2) the term "recreational vessel" means a vessel—

(A) manufactured for operation, or operated, primarily for pleasure; or

(B) leased, rented, or chartered to another for the latter's pleasure.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts [Mr. STUDDS] will be recognized for 20 minutes, and the gentleman from Alaska [Mr. YOUNG] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. STUDDS].

Mr. STUDDS. Mr. Speaker, the purpose of the Clean Vessel Act is to encourage the construction of sewage pumpout facilities at marinas. The need for the bill stems from the fact that although boaters may leave their worries and troubles behind when they set out to sea, they tend to bring their digestive systems along. Sewage, like death and taxes is inevitable; the question is what to do with it. Dumping it directly into the ocean is—for good reason—illegal. Treating it prior to discharge is legal, but expensive. Bringing it back to shore, where it can receive the treatment it really deserves, is often impossible due to the lack of adequate pumpout facilities.

The effectiveness of Federal regulations governing the operation of what bureaucrats call marine sanitation devices has been undermined by low levels of compliance and enforcement, lack of public awareness, and lack of shoreside pumpout facilities capable of receiving waste. The result is marine pollution that is unsightly, unhealthy, and damaging to local economies. A 1988 study by the Cape Cod Planning and Economic Development Commission found that sewage from marine sanitation devices is a significant source of pollution in Cape Cod Bay and a contributing factor to the closure of shellfish beds and declining water quality.

With adequate pumpout facilities, however, strong action against unsightly and unhealthy pollution can be taken. For example, in response to pollution from pleasure boats, the town of Wareham, MA, recently proposed a ban on septic dumping within its maritime boundaries. The effect of this no-discharge zone will be that all boaters will be required to use sewage pumpout facilities which are available in this community. Without adequate pumpout facilities this no-discharge zone would not be possible.

When writing about the innovative actions taken by the town of Wareham, an editor of the Cape Cod Times asked, "Why hasn't the Federal Government actively encouraged coastal towns to qualify for no-discharge zones?" That

is not only a good question, that is the point of H.R. 1297.

H.R. 1297 strongly encourages the construction of pumpout facilities by requiring that a small portion of the money that States receive from the sport fish restoration account be used to construct pumpout facilities. It requires that these facilities only be constructed in States which don't have enough and it provides States with the funds to inform boaters about the location of pumpout stations.

Mr. Speaker, this bill is strongly supported by the boaters of this country. It will contribute, albeit in a modest way, to the fight against pollution and I urge Members to support it.

The text of the article from the Cape Cod Times is as follows:

WAREHAM SCORES A FIRST

Faced with a pollution problem common to a great many coastal communities—septic waste flushed from pleasure boats' holding tanks straight into the water—Wareham has come up with a solution that should be used wherever the problem exists.

The solution: Beginning next summer, Wareham expects to impose a ban on septic dumping within its boundaries.

Sounds simple, so why isn't it being done everywhere along the coast?

Why, indeed, is it not being done anywhere else.

For one thing, such a ban requires the approval of the federal Environmental Protection Agency. And among the EPA's requirements is that a town have pumping facilities available.

Wareham has 57 miles of coastline and seven septic pumping stations, and during the summer season it also harbors an estimated 1,300 boats. And, perversely, because it's legal to empty the boats' tanks directly into a town's harbor—provided the waste is at least macerated and treated with chlorine—that's what many boaters opt to do. In fact, some boat owners don't even bother with this rudimentary treatment.

If Wareham's plan is approved by the EPA, the town will become the first on the East Coast to impose a "no-discharge zone" that could withstand a challenge in court. A couple of other communities have created these zones on their own, but did so without seeking EPA approval and so technically are without the force of law.

That Wareham thus becomes something of a trend-setter is particularly significant because this is a major town involved in the Buzzards Bay Project, the consortium of communities that has undertaken the considerable task of ridding the bay of a serious pollution problem. Boaters aren't major sources of pollution, but they do contribute.

And if Wareham does win permission for its no-discharge zone, that might jump-start the program in other coastal communities. Which leads us to wonder: Why hasn't the federal government actively encouraged coastal towns that qualify for such zones to create them? Removing any source of seawater pollution is progress.

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

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1297, the Clean Vessel Act of 1991. This

bill, introduced by the gentleman from North Carolina [Mr. JONES] authorizes coastal States to spend up to 5 percent of their Wallop-Breaux funds that they receive annually for the construction, renovation, operation, and maintenance of pumpout stations for boat toilets.

I commend the gentleman from North Carolina for moving this bill for it addresses a very real problem in some coastal areas. I am especially pleased that certain changes and modifications were made to the bill, in our committee, to exempt those States that do not have such a need. I am aware of several States who have spent considerable money providing these facilities for their boaters. Michigan is one State that comes to my mind. There are other cases where the tidal action and the exchange of water that it produces negates sewage problems along the coast. I am pleased to see that the bill's definition of "coastal State," does not include my home State of Alaska. It is my understanding, then, that the Alaska Game and Fish Department would not be mandated to spend a certain portion of their Wallop-Breaux funds for these facilities.

Mr. Speaker, I support the adoption of this bill, and ask my colleagues to join me in approving this legislation.

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

Mr. STUDDS. Mr. Speaker, if the gentleman from Alaska insists that Alaska is not a coastal State, we cannot argue. Perhaps the map is deceptive.

Mr. Speaker, I yield such time as he may consume to the chairman of the Committee on Merchant Marine and Fisheries, the gentleman from North Carolina [Mr. JONES].

Mr. JONES of North Carolina. Mr. Speaker, H.R. 1297, the Clean Vessel Act of 1991 proposes to earmark a portion of the money coastal States receive from the sport fish restoration account so that they can build, renovate, and maintain pumpout stations for boat toilets along their coasts.

I introduced H.R. 1297 to address problems in North Carolina with sewage illegally discharged from recreational boats because of a lack of pumpout stations where boaters can properly dispose of their wastes. Since then, I've learned that there are also problems in Chesapeake Bay, Puget Sound, Buzzards Bay, Tampa Bay, and Delaware Bay.

I am sure that there are problems in other parts of the country, but since there has never been a comprehensive national survey, we just don't know. H.R. 1297 will help States find out where problems exist, and make money available to address those problems.

H.R. 1297 directs coastal States to survey to determine their pumpout sta-

tion construction and renovation needs. Using this survey, the State must develop a plan to meet these needs. The EPA must approve the plan, and then the State must use 5 percent of its sport fish restoration account moneys to implement the plan.

The 5-percent set-aside may be waived or reduced if the plan identifies no pumpout construction needs or needs which will require less money. This process will ensure that money is spent only where there are identified problems. The bill also directs the National Oceanic and Atmospheric Administration to indicate the location of pumpout stations on navigational charts. Finally, H.R. 1297 allows States to spend a portion of the set-aside to educate the boating public about the costs and consequences of boat sewage discharges.

I believe that this bill will provide important benefits to everyone who swims or fishes in coastal waters, or who eats shellfish harvested from these waters. I urge all Members to support it.

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

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

PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. MAZZOLI). The gentleman will state his parliamentary inquiry.

Mr. WALKER. Mr. Speaker, if a vote were gotten on this bill and it were postponed, when would that vote likely take place?

The SPEAKER pro tempore. The vote would take place following legislative business today, and the Chair at this point is unaware of how long legislative business will proceed.

Mr. WALKER. In other words, Mr. Speaker, we would complete the Flint Hills Prairie Monument bill before going to that vote, or would the vote take place before the Flint Hills bill?

The SPEAKER pro tempore. The Chair's understanding is that the vote would take place after the legislation to which the gentleman refers.

Mr. WALKER. So, Mr. Speaker, this would come at the end of the legislative day?

The SPEAKER pro tempore. The gentleman is correct.

Mr. WALKER. I thank the Chair.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts [Mr. STUDDS] that the House suspend the rules and pass the bill, H.R. 1297, as amended.

The question was taken and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to amend the Din-

gell-Johnson Sport Fish Restoration Act to authorize the use of coastal States apportionments under that act for construction, renovation, operation, and maintenance of pumpout stations for marine sanitation devices."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. STUDDS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

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

There was no objection.

MYRTLE FOESTER WHITMIRE NATIONAL WILDLIFE REFUGE

Mr. STUDDS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2105) to designate the area in Calhoun County, TX, known as Rancho La Bahia, as the "Myrtle Foester Whitmire National Wildlife Refuge," as amended.

The Clerk read as follows:

H.R. 2105

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

SECTION 1. DESIGNATION OF AREA KNOWN AS RANCHO LA BAHIA AS THE "MYRTLE FOESTER WHITMIRE DIVISION OF THE ARANSAS NATIONAL WILDLIFE REFUGE".

(a) DESIGNATION.—Upon acquisition by the United States Fish and Wildlife Service, the area in Calhoun County, Texas, commonly known as Rancho La Bahia shall be known and designated as the "Myrtle Foester Whitmire Division of the Aransas National Wildlife Refuge".

(b) LEGAL REFERENCES.—A reference in any law, map, regulation, document, or record of the United States to the area referred to in subsection (a) is deemed to be a reference to the "Myrtle Foester Whitmire Division of the Aransas National Wildlife Refuge".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts [Mr. STUDDS] will be recognized for 20 minutes, and the gentleman from Alaska [Mr. YOUNG] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. STUDDS].

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

Mr. Speaker, I rise today in support of H.R. 2105 which was introduced by Mr. LAUGHLIN. It would designate as the "Myrtle Foester Whitmire Division of the Aransas National Wildlife Refuge" a parcel of land that the Fish and Wildlife Service is seeking to acquire in Texas. It will be a valuable addition to the refuge system, but the sale is contingent on naming the parcel after the owner's wife. This bill would do just that. It will facilitate the transaction and I support it strongly.