

(Four trillion, one hundred eighty-seven billion, nine hundred fifty-nine million, three hundred fifty-nine thousand, one hundred twenty-four dollars and thirty-three cents) during the past 15 years.

BUILDING A BETTER WORLD AWARD

Mr. CAMPBELL. Mr. President, today I take a moment to acknowledge the new "Building a Better World" Award which CH2M HILL, an employee-owned company which is headquartered in Denver, has initiated. William D. Ruckelshaus, Chairman of BFI and former EPA Administrator, was presented with CH2M HILL's inaugural "Building a Better World" award in ceremonies at the Smithsonian Institution's Castle in Washington, DC on May 6, 1998.

CH2M HILL created this award to recognize the contributions of private citizens or organizations that reflect the company's core business value of making technology work to build a better world. The work of its 7,000 employees worldwide involves assisting public and private sector clients in planning, design, program management, and often construction for drinking water, wastewater management, hazardous waste management, transportation, nuclear waste cleanup projects, and industrial activities.

In choosing a recipient for this inaugural award, the selection panel sought to define a level of excellence that would make this award especially significant to succeeding recipients. Three key criteria are established for CH2M HILL's "Building a Better World" award:

Honorees must be deemed to have made a significant difference in improving the lives and prospects of people and society.

Contributions of honorees must be judged to be exceptional in nature and their impact substantial, distinctive and enduring.

Honorees must demonstrate an extraordinary and exemplary exercise of leadership and commitment.

In honoring Mr. Ruckelshaus with the "Building a Better World" award, CH2M HILL noted his long standing and continuing efforts in advancing environmental protection, practicing corporate responsibility, affecting sustainable development, and inspiring dynamic public and private citizenship. "Taken apart from one another, Mr. Ruckelshaus' accomplishments in business leadership, government service and environmental stewardship are extraordinary in their own right" said Ralph R. Peterson, CH2M HILL President and CEO. "Taken collectively they form a masterwork of civic character."

In establishing the "Building a Better World" award, CH2M HILL plans to honor people it knows firsthand to have made constructive, significant and lasting contributions to improving

the lives and prospects of people and society. The award will be presented on a regular basis as deemed appropriate by the CH2M HILL Board of Directors.

Mr. President, this special award by a leading Colorado-based company provides another example of corporate interest and support for making the world we live in a better place.

I thank the chair and yield the floor.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1999

The PRESIDING OFFICER. The clerk will report the pending business.

The legislative clerk read as follows:

A bill (S. 2138) making appropriations for energy and water development for the fiscal year ending September 30, 1999.

The Senate resumed consideration of the bill.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I will shortly be sending an amendment to the desk. Let me just explain to my colleagues what it is I am attempting to do.

This is not the first time I have been on the floor of the Senate talking "trash," not the kind of trash that immediately comes to mind when you use that phrase but trash meaning garbage. In fact, another Senator just came by a few minutes ago and said, "This amendment you are offering is garbage." I said, "You are exactly right; it is garbage." It is all about garbage. It is all about municipal solid waste, which is a diplomatic term for garbage, the stuff that each of us throws out every day from our kitchen—puts in a plastic bag, puts out at the curb once or twice a week, picked up by a local truck and taken to what we think is a local landfill nearby.

Unfortunately, the State I come from, Indiana, has become the local landfill for a number of States that do not have enough landfill capacity or find it cheaper to load it on a train, load it on a truck, send it overnight down our Nation's railways or highways, and drop it off in the State of Indiana. Over the past several years, we have been the recipient of millions upon millions upon millions of tons of out-of-State trash without any ability as a State to put reasonable restraints and restrictions on receipt of that out-of-State trash in order to manage our environment and manage our own destiny in terms of how we dispose of this municipal solid waste.

The Supreme Court has denied States their individual efforts to regulate this, saying that it is a violation of the commerce clause of the Constitution. But the courts have also been clear to point out the fact that if Congress affirmatively enacts legislation or constraints on the importation of out-of-State trash, or exportation of out-of-State trash, it will be constitutionally acceptable. It is just simply one of those areas where States cannot do it

individually but Congress can give them the authority to do that.

We have learned a lot of things over the last several years. I have offered this legislation now five times. This is the sixth. We offered it in 1990, 1992, 1994, 1995, and in 1996, and in each of those years the Senate has passed this legislation. We now come here for the sixth time because we have been unable to secure passage in the other House, or, when we have, it has been dropped in conference. Various other means have been used to defeat the purpose of finally accomplishing what I believe is a reasonable restraint and reasonable solution to the problem that we face.

Now, Michael Jordan and the Chicago Bulls have won six titles. This is my sixth try to win one. I have five defeats, and I hope not to get the sixth defeat. So that we have Jordan and the Bulls on the one hand carrying around the trophy with astounding success, and we have Coats on the other hand loaded up with bags of trash brought in from out of State marked X defeat in 1990; X defeat in 1992; X defeat in 1994, et cetera, et cetera.

Now, I cannot blame my colleagues in the Senate. I cannot do that because through negotiation each time we have been able to work out our differences. We have been able to recognize that there are exporting States that have needs and there are importing States that have problems, and that finding a solution that merely benefits the importing States puts the exporting States in a very difficult position.

So with the help of my friend from New York, Senator D'AMATO, and the help of my friends, on a bipartisan basis we have been able to reach an accommodation which recognizes the need for importing States to have to have reasonable restraints on the amount that they can handle and at the same time gives those exporting States time to put in place mechanisms of their own to deal with their trash or to enter into arrangements with our State so that we can have some type of reasonable control over that.

We have learned those lessons, sometimes the hard way, but we have always been able to reach an agreement and a consensus, and the Senate has been tremendously supportive in the end of my efforts to do this. I am disappointed that we have not had that same kind of support in the House of Representatives. I hope we can as we try once again to convince our colleagues that this is a problem that needs a solution, that we have a solution that takes care of the problems that are facing importing States as well as exporting States.

The amendment I am going to offer today is the interstate solid waste title of S. 534, which passed twice in the last Congress. That title was carefully negotiated. What we are offering is that title in its entirety with a minor modification. We are even now negotiating that modification as I speak.

Specifically, to repeat what I have said on this floor many times, this amendment will allow a Governor, if requested by an affected local community, to ban out-of-State solid waste at landfills or incinerators that did not receive out-of-State municipal solid waste in 1993, a benchmark year.

Let me repeat that because it is a critical point to understand. A Governor is given the authority to ban receipt of out-of-State waste at a landfill that did not receive out-of-State waste in 1993 if, and only if, it is requested by the local community. If the local community wants to receive the out-of-State waste, if they want to enter into a contract with a hauler or the State wants to enter into a contract with another State, they are permitted to do so. The Governor only has the authority if the community asks him to do so and if they meet the test in terms of whether or not they received the waste in 1993. The Governor is also given the authority to freeze, not eliminate but freeze, out-of-State municipal solid waste at 1993 levels at landfills and incinerators that received solid waste during 1993. The Governor, however, may not ban or limit municipal solid waste imports to landfills or incinerators if they have what is called a host community agreement that specifically authorizes out-of-State waste. So if a community wants it, fine. But if a community feels it is overwhelmed and cannot receive it, then it can request the Governor to either ban or freeze, depending on the particular situation that exists.

Just as an example of this, we have small communities, small counties, in Indiana with landfills that were designed to serve the solid waste needs of those communities within that jurisdiction, say, for a 20- or 25-year period of time. They have gone out on a limb with a bond issue or they have come up with the financing to finance this landfill, and they suddenly find that in the period of 12 months or 18 months the entire landfill is filled to capacity, leaving the solid waste jurisdiction in dire straits, no longer able to take care of their own generated municipal solid waste simply because their landfill was clogged up and filled up with waste coming not from their area, not even within their State, but sometimes long hauled halfway across the country or brought down from another State so it is totally out of their control.

Since we started offering this amendment, shipments across the borders have continued. Large importers continue to be adversely impacted. We have been a net importer in the State of Indiana for over 7 years. In 1996, we imported 1.8 million tons of out-of-State trash. Last year, we received the largest amount ever, 2.7 million tons. From 1996 to 1997, our trash imports have increased by 37 percent and our hands are tied. We cannot control what comes across our borders and into our landfills unless we have legislation that gives us the authority to do that.

I do not want to take a lot of time; I know we are trying to move this bill along. Let me just conclude by saying I am not arguing for an outright ban on all waste shipments between States. There are examples of effective and efficient cross-border waste management. My own State of Indiana has several communities which have traditionally worked with other communities in neighboring States to receive solid waste. But we must give States some role in making waste management decisions. Without congressional authority, we will be unable to play any role whatsoever.

We must have a say in how much we receive. We must have the ability to enter into contracts. We do have to recognize the needs of exporting States, but we also have to balance those needs with importing States. We have legislation, which this Senate has passed overwhelmingly on a bipartisan basis, with exporters and importers agreeing that this is a proper balance. I am simply reintroducing what has already been accepted by this Senate with, as I said, a modest modification that even at this point we are discussing with export States to see if we can reach some agreement on that so this legislation can go forward.

AMENDMENT NO. 2716

Mr. COATS. Mr. President, I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Indiana [Mr. COATS] proposes an amendment numbered 2716.

Mr. COATS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

The PRESIDING OFFICER. The Senator from New York.

Mr. D'AMATO. Mr. President, I am very appreciative of the problems which Senator COATS has alluded to as they relate to those States which are the recipients of large amounts of refuse, solid waste that comes from other States. Indeed, if I were a Senator from one of those States in which local communities, sometimes private landfill operations, enter into agreements and take large quantities, millions of tons of solid waste coming in, I would certainly understand why it is the Governor and/or the local officials would like to have some control with respect to the amount that comes in.

Having said that, I am appreciative of the Senator's recognition of our concern, notwithstanding that we are a State, New York, that exports millions of tons annually because we simply do not have the ability to keep it, and are now closing down the largest landfill in the world, which will be closed in the year 2001. This is a concern to us, a

very important and valid concern to the City of New York and to the State as well. If a law, and/or an agreement is entered into which would preclude us from using those areas for which we have negotiated long-term contracts, and indeed would restrict us, particularly at a time when landfills are closing down in New York and the problem will become more acute, we recognize we have to deal with those problems.

Indeed, there are a number of contingencies which are being examined to dispose of this waste in the most environmentally sound and cost-effective manner. Plans are being developed, facilities are being built, land sites, new land sites within the State, are being utilized. There are a number and variety of communities that have entered into programs to recycle and to cut down on the volume. However, this is a monumental problem. Therefore, I appreciate the recognition by my colleague and friend of this problem, and I am going to ask that we have an opportunity—and I recognize people want to move on with this bill—to examine it carefully.

I tell you, I respect, again, the candor of my colleague, Senator COATS, when the fact is the threshold, the ratcheting down threshold has been reduced from when last this legislation was accepted. We passed this overwhelmingly and we worked together cooperatively, and I think it passed by something like 94 to 6. It was an overwhelming vote. But that was in 1995. Since then, while the Senator is pointing out that his State is getting more garbage, we are producing more that does not go into landfills within our State, and therefore ratcheting down is something we could not feel comfortable with. This Senator could not say we will be ready to accept limitations that are further eroded and reduced. That is a very real problem.

Second, the legislation is tied to a date, as my colleague indicates, that says, "those landfills that were receiving material, solid waste from out of State, as of 1993."

There have been, I am sure, a number of landfills that have opened up since 1993. So what this legislation would do, if passed in its present form, it would effectively deny New York or other States that export garbage the opportunity to continue that relationship they have with landfills or operations that have opened subsequent to 1993. I have to tell you, I do not know at this point how many tons of waste we would then not be able to dispose of, but it could be significant. If we were to have had a dozen additional sites nationwide opened up, we would find ourselves in a situation where we could no longer use them to dispose of any of the waste.

So I would have to ask my friend to consider updating the 1993 date as a date to determine how you would ratchet this down. It would certainly have to be something closer to—and, indeed, in 1995 we used 1993. It would seem to me as we are into 1998, we

would expect at least that same kind of consideration. Without even studying it, it would seem to me we would have to put in that date, if we are going to maintain some kind of symmetry. Those landfills that were in operation as of 1996, that that would be appropriate if we are going to maintain symmetry.

Again, I haven't had a chance to check this with our State and ascertain whether in this short time they could tell us how many landfill sites have been opened, even between 1996 and today. But that is a concern, and I share that with my colleague.

We have not had an opportunity to really discuss this. Yet, I am deeply appreciative of his concerns and his offer to try to work this out. So I hope that before attempting to move to vote on this, that we could see if we cannot get some cooperative agreement. I do not know what other colleagues in some of the exporting States would feel, but I am still of a mind that if we can be accommodating and meet our needs, I want to do that. But these are two very real concerns.

No. 1, we cannot ratchet down an amount when we are producing more garbage than ever before, one that we had agreed to back in 1995. And, second, we would have to do something with the date of grandfathering those landfills. We would have to bring them up to a more current position so as to determine those which we may be using today which we were not using heretofore.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Might I ask the Senator from New York, and the Senator from Indiana, are they going to try to iron out the differences that have been alluded to?

Mr. COATS. I would hope we could. I talked to the Senator from New York, indicating we are flexible in terms of moving this on. I agree with the Senator there may be some need to have additional negotiations. Since the Senate passed this before and this language has been acceptable, we could agree to go back to the original ratchet, the original number used as the baseline for ratcheting down. We dropped it 100,000 tons—we could go back to the 750,000, if that would be acceptable and allow us to go forward with this. There is no way we can, I believe, derive an answer to the Senator's second question, which is using 1999 as a different base than 1993.

I assumed all along, based on the assurances given to us by the Senator from New York and other exporting States in the past, that development of in-State facilities was accommodating more and more of their municipal waste. In fact, I was assured of that several years ago. If they just had a 2-, 3-, 4-year flexibility, they would have their own in-State capacity or at least have the capacity that would allow them not to significantly increase the exports.

I think we can work that out. I would like, obviously, to move this along and pass the bill. We all know it is a long way from ever getting to conference because of concerns in the House on other issues. But if there is any way the Senator from New York can see to, one, agree to our offer to go back to the original figure on the ratchet basis from 650,000 to 750,000 and then my assurances that we will work with him and work with Members of the House and his delegation to address this other question—which I don't think we have the answer to at this point and can't get it in the short amount of time that the chairman wants to move this appropriations bill—I am certainly open to that.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, if I can address a question to the Senator from Indiana.

Do you know if your staff has had conversations with the senior Senator from New Jersey? Because he usually has had a question on this.

Mr. COATS. We have not. All I know is, what we are offering here is exactly what the Senator from New Jersey agreed to and voted for in the past.

Mr. REID. I will say, on the minority side, we will be willing to accept this. I do have to get a clearance from Senator LAUTENBERG, who is testifying at this time, and I am sure we can get that done very quickly.

Mr. COATS. I think it is important that I go forward and ask unanimous consent to modify my amendment to change the figure on page 2—

Mr. DOMENICI. I say to the Senator, I don't think you need unanimous consent.

The PRESIDING OFFICER. The Senator has a right to modify his amendment.

AMENDMENT NO. 2716, AS MODIFIED

Mr. COATS. Mr. President, I would like to modify my amendment by changing the figure on line 25, page 2, of the amendment from "650,000 tons" to "750,000 tons."

The PRESIDING OFFICER. The amendment is so modified.

Mr. COATS. With that, Mr. President, I will tell the Senator from Nevada that he can assure the senior Senator from New Jersey that what is being offered here is identical to what was offered and agreed to in the past by the Senator and is exactly the same legislation in regard to the municipal solid waste section of that bill.

Mr. D'AMATO. Mr. President, let me say this: First of all, I appreciate the Senator's recognition of the fact that the ratchet figure has to be the same, or should be, and moving to do that. I understand he brings these requests at the request of his Governor. I do have a very serious concern, and that is, if one reads the legislation, it says:

In 1999 a State may ban 95 percent of the amount exported to a State in 1993.

That is a serious concern, understanding that, again, we are now 3

years further down the road. I don't know what the impact will be today. It is one thing to say, "Well, we agreed to that 3 years ago." I am concerned, and, again, if we are going to talk about symmetry, at the very least it seems to me that that figure will have to read "exported to a State in 1996," so that we maintain the same 2 years, the 2-year differential.

I feel much more comfortable in saying let's move the process. And, indeed, if there are other things that have to be done, hopefully in conference we can work that out with the assurance of the chairman and the ranking member that we can deal with other areas. But these are issues of very significant proportions as they relate to our local governments.

While I can understand the concern when an area is being inundated and people feel there is nothing they can do—the local legislatures—I understand that. I ask my colleague to understand what our concerns are if we have no place and valid contracts have been entered into subsequent to 1993 and we find now, as a result of moving along with this, they no longer have a place to dispose of it.

Even moving it to 1996, I say, may not be sufficient, because we may have—and not in the State of Indiana, but in other jurisdictions—opened up facilities or are presently using facilities that have been opened maybe last year, and here I am in a position that I will be agreeing that these facilities will no longer be possibly available to us. That is why I am concerned, absent that information.

If we go along with the year 1996, I hope my friend will recognize that is a very real accommodation, as opposed to 1993, and then take it on good faith that we will examine this, so that even if it goes to conference, we might have to lodge some kind of objection if we found that subsequent to 1996 there were facilities that were open that were substantial and necessary for us to accommodate the disposal of this waste. I want to be accommodating, but I have to state it in this manner so that we can both protect the interests of our States and our citizens. I think that is about as far as I can go on this.

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, in response to the Senator from New York, I will state a couple of things.

No. 1, we passed this legislation in 1996. So the agreement that we had reached relative to using 1993 was acceptable to the State of New York, the State of New Jersey, and other exporters just in the last Congress. In fact, we passed it twice in the last Congress. There was no request at that time, in 1996, to change the base year from—in fact, we offered 1993 or 1994, and 1993 was a more acceptable year—there was no request then to address the concern that the Senator from New York has just raised relative to having to change

that base year to accommodate what might be perceived as increased exports.

Secondly, I will state again for the Record that we have been repeatedly assured by exporters—by exporting States that all they needed was a little bit of time to develop more of their own capacity and that actually I think it would be just as logical a request from the Senator from Indiana or anybody from an importing State to request that we use a lower amount rather than a higher amount, because 10 years ago everybody said, this won't be a problem; 10 years ago, people said 5 years from then it wouldn't be a problem, because all they needed was 3 or 4 years to sort of get their own act together.

We understood that, and we understood the prodigious volumes of municipal waste they were generating. The population in the Senator's State I don't believe has significantly increased. In fact, I think they are losing population.

I don't know that they are necessarily generating more waste, unless people are eating more than they used to. It might be. The economy is good. Maybe there is more waste to dispose of. My daughter has moved to New York, so my wife and I go up and we eat out. I suppose that is out-of-State consumption. We try to eat everything we order, I will state for the record, so that we don't generate any more waste that can be sent back to Indiana. I don't think it is good for the Senator from Indiana to go to New York, generate waste that then is packed up that night and shipped by truck and dumped in my landfill in my hometown.

I don't understand the need to increase or to look on the assertion or the basis that they have less disposal capacity now than before when we have been assured on the floor that all they needed was just a few years to provide more in-State capacity and that would alleviate our problem. We have made very significant concessions in terms of addressing the concerns of the exporting States.

My original legislation that I offered back in 1990 gave the Governor the outright authority to flat out ban any garbage from out of State. And that passed the U.S. Senate.

We have the votes to do that. There are about 31 States that are importers. They are the ones that get dumped on. There are just a handful of States that generate the exports. But we recognize that problem. They are high-density States and generate a lot of waste.

We recognized their problem. And we address their problem. And, in so doing, we made considerable concessions about what we would continue to receive, that if a community or a municipal waste disposal jurisdiction wanted to take out-of-State waste, enter into a contract to do that, why, we would allow that to take place. We said the Governor could not outright ban; he could only freeze at certain levels.

We adjusted the baseline amounts so that we would continue to receive prodigious amounts of waste—all trying to be a good neighbor, trying to help out a State until they could develop their own disposal capacity.

Now, New York is a big State. There is a lot of room in New York to put—a lot bigger than the State of Indiana. I just assumed—

Mr. D'AMATO. Will the Senator yield?

Mr. COATS. I will be happy to yield in a moment.

I just assumed the State of New York was taking advantage of some of that space outside of Manhattan to address those needs and by now we would not even need to be here addressing this. But something has not happened; therefore, I think to go back to the original agreement that gives States some authority to make reasonable rules relative to how much they receive and so that they can manage their own environmental affairs, something that has been approved and accepted by every Member in this body in the past, I think that is a reasonable way to proceed.

I just answer the Senator from New York by saying, I think it would be just as reasonable if I were here asking for lower baseline numbers rather than higher, but I am willing to stay where we were because that is what we worked so hard to agree on just in the last Congress.

Mr. D'AMATO. Well, if the Senator would yield just for an observation, and I observe—and I am looking at the summary of the amendment. When I look at the summary of the amendment, as drawn, it says, in 1999, greater than 1.4 million tons or 90 percent of the amount exported in 1993. Now, what we would be agreeing to is that within less than 6 months—within 5½ months—that we would agree that the following amounts could not be greater than 1.4 million tons or 90 percent of the amount exported in 1993. What I am saying is, I am willing to go along with the 1.4 million tons or 90 percent of that exported in 1996. OK.

Now, let me also say that in 1 year and 5½ months—if you go to the next year—it says in 2000, greater than 1.3 million tons. You go down to 1.3 million or 90 percent of the amount exported in 1999.

So what I am suggesting is that I cannot in good conscience support an agreement when I do not know what we have done between 1993 and to date. But I am willing to take it up to 1996. And we are talking about 5 months. And then within a year you get the second figure that triggers off. So I am just talking about 1 year.

You cannot ask us to put ourselves in the position to have us sign off on this. I think even taking 1996 is Russian roulette to the extent—I hate to say it is Russian roulette—but at least there is a symmetry between what we did before. And I only do this on the basis that when we go to conference, if in-

deed we have some severe problems, I will notify the committee. And if the Governor's office advises us there is no way they can possibly do it, I will notify the committee. And I think they would act responsibly to make the necessary changes or to drop the legislation.

I have to be candid with you on this, so I suggest that is about as far as I could possibly go at this time. And I do it in the spirit of accommodation.

Mr. COATS. So Mr. President, as I understand it, the Senator is proposing that relative to the export ratchet—

Mr. D'AMATO. Yes.

Mr. COATS. Only for the year 1999—

Mr. D'AMATO. No.

Mr. COATS. The first line of the summary—only for the year 1999, the Senator would like to change the base year from 1993 to 1996.

Mr. D'AMATO. That is right.

Mr. COATS. Is that correct?

Mr. D'AMATO. Sure. That is correct. And what I am suggesting—in other words, in 1999, 1.4 million or 90 percent of the amount exported in 1996; and I hope we can get that amount. Hopefully, the State will be able to give us those numbers, and hopefully all States would be able to give us those numbers. And thereafter I would say we have an agreement, because we are then holding to—if you read in 2000, it says greater than 1.3 million tons or 90 percent of the amount exported in 1999. So we are, then, at least, taking it on a rational basis as it relates to how much was actually exported.

Mr. COATS. Well, let me say this to the Senator. First of all, I know that, given the 4 weeks we spent on the tobacco legislation, things are desperately behind. We are desperately behind the curve, and I know the Senate is anxious to move this appropriations bill forward as well as the agriculture appropriations, which I believe is coming next.

In the interest of expediting that schedule, I would be willing to accept that change offered by the Senator from New York if it would allow us to move forward, and with the understanding that we have a mutual agreement here to sit down and try to work this out.

Mr. D'AMATO. If there are any other—yes.

Mr. COATS. Given the fact that we do not have the answers to the question, I think the Senator and I—and we worked on this before—we could probably work out an acceptable arrangement which could help everybody. If we could get that assurance and move forward with it, I would be willing to make that change.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I am grateful to both Senators for trying to work this matter out. Senator LAUTENBERG—I have spoken to him on the telephone. His staff is here on the floor. He should be here

momentarily. Hopefully, he will sign off on this after speaking to the two, the Senator from Indiana and the Senator from New York.

Mr. D'AMATO. Let me again suggest that with those two changes, the change of the 750,000 tons, which the Senator has already made in his amendment, and that of changing the 1999 agreement to reflect the amount exported in 1996, if the Senator would make that amendment, I am willing then to accept the amendment with the proviso and understanding and the gentlemen's agreement being that any other difficulties we will see if we can work out. And then we would rely on the committee chairman and the ranking member to help us and aid us in any further legislative language that might be needed.

Mr. COATS. Well, Mr. President, I certainly think we have the makings of an offer here, if we can get clearance from the rest—the Senator from New Jersey who helped in the past to reach this compromise. Obviously, nothing has changed. In fact, it probably changed a little marginally for the better for the Senator from New Jersey.

Mr. DOMENICI. Will the Senator yield?

Mr. COATS. Yes.

Mr. DOMENICI. I think if you want to work on that language—and I understand Senator LAUTENBERG is going to have to express his views; and he will be here momentarily. I wonder, I say to the Senator, if you might agree with me that Senator ALLARD from Colorado, who wants to speak to the bill—he is not going to offer an amendment—could speak for up to 10 minutes while you are working on this.

Mr. COATS. I have no objection.

Mr. ALLARD addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, I thank my colleagues. I want to thank the chairman for allowing me the time to speak for a few minutes on the bill.

I rise in support of Senate bill 2138 making an appropriation for energy and water development. I also want to make a few comments in regard to the Jeffords-Harkin amendment, which was adopted a little bit earlier on in the day, which was to restore funding to the renewable energy account in the 1999 energy and water appropriations bill we are now debating.

First of all, I thank the chairman for his diligence and hard work in working with my office on issues that are very important to the State of Colorado. Last year, you worked hard with our delegation, and are continuing to work with this delegation. I am comfortable with the legislation in the form that it is being reported out of the Senate.

I also recognize that there is a lot of work, or some work, that has to be done in conference committee and maybe a few issues yet that still have to be resolved as far as this particular bill is concerned.

Let me just say a little bit about the priorities that I have as somebody who

represents Colorado and what I am thinking about as far as those priorities are concerned. First of all, research programs that will benefit from this funding should be a national priority. They are energy-type research, and they are very, very important to the future of this country and having us not rely on foreign sources for our energy. It is well known that nearly half of all our Nation's oil is imported and that these imports account for 36 percent of the U.S. trade deficit.

American renewable energy and energy-efficient technologies help offset fuel imports. They build our domestic economy, and they strengthen our national security. Renewable power is an attractive energy source for the future. Alternative fuels such as propane, natural gas, ethanol, and methanol are clean fuels and are largely free of the pollutants regulated by the Clean Air Act. Renewable energy will provide clean and inexhaustible energy for millions of consumers.

Specifically, funding for renewable energy technology is important to my home State of Colorado. My State supports several energy-efficient pilot programs as well as established renewable energy sources. Some of the Nation's best wind and solar resources are in Colorado, and many of my constituents currently rely on renewable energy.

These are not far-fetched research projects that we are talking about. My State, for example, has many ranchers who are currently using sun and wind energy in the management of their lands, providing for their energy needs.

Colorado is also the proud home of the National Renewable Energy Laboratory, referred to as NREL—the leading renewable energy research laboratory in the Nation, I might add. NREL conducts the needed research and develops and demonstrates sustainable-energy technologies. This lab relies heavily on the funding included in this amendment.

In addition, there are many entrepreneurs who are counting on funding from the Department of Energy to continue improving and increasing availability of renewable energy technology. There are 132 businesses in Colorado that specialize in renewable-energy-related products and services. Congress must continue to support research for renewable energy.

We also need to support the partnerships among the Government research entities, universities, and businesses. These cooperative efforts ensure that the research produces applicable results and furthers our goal of increasing our use of renewable energy resources.

In past years, I have sponsored environmental awareness seminars with Colorado State University to promote the use of alternate fuels. I am a former member of the House Renewable Energy Caucus, and I recently became the chairman of the newly formed bipartisan Senate Renewable and Energy Efficiency Caucus. I am a

strong proponent of using renewable energy sources, and I believe we should continue to support that research, perfect the technology, and expand the use of renewable resources.

I thank my colleagues from Vermont and Delaware for their efforts to protect funding for renewable energy.

The next point I want to make is very, very important. While I do support the intent of the Jeffords-Roth amendment, I want to highlight one portion that I hope the conferees will change. One of the offsets included in the amendment is a 1.5 percent decrease in funding for cleanup of non-defense nuclear sites that are no longer utilized. One of those sites is the Rocky Flats Environmental Technology Site, which I will talk about further a little bit later on. My hope is to have this site cleaned up by 2006. In order to do that, it will require every dollar that has been appropriated for it in this bill. While in this instance I support the Roth-Harkin amendment, in the future I will have difficulty doing so if this same offset is included. In other words, the priority as far as my State is concerned, we spend every dollar to clean up Rocky Flats, but if we can do that, if we can put more money in renewable labs without taking away from the dollars, I can be supportive. I want it clear that my top priority is the cleanup of the Rocky Flats facility.

On that topic, Mr. President, I further thank Mr. DOMENICI and Mr. REID for their hard work on the energy and water appropriations legislation.

There is a lot of talk about surpluses nowadays. While I know that Mr. DOMENICI's subcommittee was not the beneficiary of any surplus, therefore it is a very pleasant surprise that he was able to find the funds necessary for an accelerated cleanup of Rocky Flats. In fact, I note that he provides \$32 million over the administration's request to be sure that we remain as close to a 2006 closure date for Rocky Flats as possible.

As Mr. DOMENICI knows, this has been a very important issue for me since I came to the Senate last year. The basis of my concern is the proximity of Rocky Flats to over 2 million Coloradans. This makes the site one of the biggest potential threats to the Denver metro area. Rocky Flats is home to tons of plutonium that needs to be removed from Colorado. The funding in this bill will help achieve that end.

Furthermore, I note the dramatic upward swing in funding from fiscal year 1997 to date. In fiscal year 1997, \$487 million was appropriated for Rocky Flats cleanup. In fiscal year 1998, that number jumped to \$632 million. Today's bill proposes \$657 million for cleanup. If we can hold this amount, we should be able to safeguard this material and close Rocky Flats in an expeditious manner.

Again, I close my remarks by complimenting the chairman on his hard work on both the budget and this appropriations bill and tell him how very

much I appreciate his sensitivity to the problems we have in my State, particularly in regard to cleanup of Rocky Flats.

I yield back the remainder of my time.

Mr. DOMENICI. Mr. President, let me say to Senator ALLARD and to the people of your State, because the community of interests have come together—and much of that is attributable to your leadership—we are now able to say to all of the country that we finally have one of these sites that must be cleaned up, that has a date, a date certain, that it will be cleaned up. Now, that is a rarity.

If the American people knew how long it takes us to clean up one of these sites because of a variety of reasons—some of which are not very good, yet we are stuck with them—they would be delighted, as I am, that we now have one that can be cleaned up and completed and we can say this is part of history in that area, and the surrounding communities are rid of this waste.

We saw that daylight, and we put in extra money. We are not apologetic in a tight budget year to say we put more in because we have to have some successes. We are busy spending our taxpayers dollars in projects of cleanup that we cannot even tell you will ever get cleaned up. Some of the things causing that we can't even change here on the floor of the Senate unless we go back and undo State law and have more hearings and look at contracts. Maybe that ought to be done, because there is a bit of irrationality regarding some of the projects of cleanup that now turn out to be situations where, when the project was in full bloom and operating to produce whatever it was producing for the nuclear deterrent system, they had fewer workers than they have cleaning up. The Senator probably found that in his research as he familiarized himself with this particular dilemma.

I am very pleased that people like you went to the community and clearly indicated that there aren't a lot of options. If they don't want to let some of these things happen, it will all stay there. You told me that. You took the lead in convincing many people that those who didn't want one thing done, unless it was absolutely beyond perfection, with no possible risks involved for anyone or anything, that we wouldn't move a bit of this waste under those conditions. I laud you for that. I am glad we found money to put in to take care of it quickly.

Mr. ALLARD. If the Senator will yield for a moment, I will do everything in my power to make sure this money is spent wisely on that project. We are trying, through our office, to make sure it is well spent. My commitment to you is, we are working hard to help you in overseeing that it is spent responsibly.

Again, we appreciate your sensitivity to the urgency of this matter. And like

you, I hope that when we get this cleaned up, we can again clean up sites all over the country with similar situations. I appreciate the high priority you have given this particular site. I thank the chairman.

(Mr. SMITH of Oregon assumed the Chair.)

Mr. DOMENICI. Mr. President, we want to say to the leadership of the Senator's community there in his State, at least you understand we don't have a clean project that is going to go on forever. We are not past that stage in some areas. Some people think that paychecks by the hundreds of millions ought to be coming on for another 100 years. I don't know how we are going to be able to do that. Costs will keep going up. We have to find some satisfactory ways, with our intelligence, science, and innovation, to do some of these things better. That is what is happening there.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I wonder if the Senator from Michigan wants to state the purpose for going into morning business. Does he want 5 minutes as if in morning business, or 10 minutes?

Mr. ABRAHAM. Mr. President, I respond. Earlier today a resolution was introduced to commemorate the victory of the Detroit Red Wings. I would like to complete the action on that, and if we had 5, no more than 10 minutes, certainly this would be done.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Senator from Michigan have up to 10 minutes for the purpose he just stated, and then, after that time has expired, we return to the pending business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ABRAHAM. Mr. President, I thank the Senator from New Mexico.

CONGRATULATING THE DETROIT RED WINGS ON WINNING THE 1998 NATIONAL HOCKEY LEAGUE STANLEY CUP CHAMPIONSHIP

Mr. ABRAHAM. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 251, which was introduced earlier today by Senator LEVIN on his behalf and my behalf.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A resolution (S. Res. 251) to congratulate the Detroit Red Wings on winning the 1998 National Hockey League Stanley Cup Championship and proving themselves to be one of the best teams in NHL history.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. ABRAHAM. Mr. President, I was initially going to seek to dispense with the reading of the resolution. But it sounds so good that I could not help to want to hear and allow our gallery to hear, as well, those words.

We in Michigan, and hockey fans, I think, throughout the world, are excited by the victory Tuesday night of the Detroit Red Wings in the Stanley Cup hockey finals.

Earlier today, Senator LEVIN, on his behalf and my own, introduced a resolution to commemorate that victory. I will not take the time of the Senate to read the entire text of that resolution again. But I would like to stand here today to acknowledge and express the pride that he and I and the Detroit Red Wings fans, not only in Michigan but everywhere else, have as the team on Tuesday won its second consecutive Stanley Cup hockey championship.

Last Friday, I had the opportunity to host the visit of the Stanley Cup itself to the Senate. We had the chance to share with our colleagues a little bit about the history of that most ancient trophy, which commemorates each year the winner of hockey's ultimate championship.

As I say, this is the second straight year that championship has been won by the Detroit Red Wings. It is also the second straight year that the Red Wings have won the championship with a four-game sweep, clearly an indication of the talent and the abilities of this team.

I think this year's victory was also special for a variety of other reasons that I would like to mention.

First, as evident throughout the season and certainly during the final days of the playoffs, this victory was special because of the presence in the players' spirits and minds, and then ultimately at the arena itself, of Vladimir Konstantinov, one of the stars of last year's championship who was innocently the victim of an auto accident and injury that made it impossible for him to play this year. We all wish him a speedy recovery, although he is still wheelchair bound.

It was a special win because the players dedicated the season to him and to the team trainer, Sergei Mnatsakanov, who likewise had been injured in that automobile accident.

It marked the eighth straight Stanley Cup victory for Scotty Bowman, and that ties him with his mentor, Toe Blake, for the most victories of this championship in the history of the NHL.

It was a special victory because team captain Steve Yzerman, in his 15th season, was awarded the Conn Smythe Trophy, which is a trophy that goes to the most valuable player in the playoffs. Those of us who have followed Red Wing hockey throughout that time