

American flag, and the freedom to choose and the liberty to succeed which it embodies.

Some Americans are too young to remember; others have too quickly forgotten. How important, therefore, that we honor our veterans, that we learn from them, and that we teach others about history, about war, about sacrifice. We are still reminded about Korea, Vietnam, and more recent encounters. We should not, however, allow the memory, the lessons, and the sacrifices of our terrible world wars to fade. Proud veterans of those wars are among us today. Their presence bears witness to sacrifice.

Fifty years ago this month, our Nation was beginning to absorb the meaning of victory in Europe, to realize what the final tally was in terms of lives lost or shattered as the result of the awful conflict in Europe and North Africa. In April of 1945, President Roosevelt had died of a cerebral hemorrhage at Warm Springs, GA. The battle in the Pacific still raged as scientists neared completion of the first atomic bomb. The sacrifices would continue for 4 more months, and then the bloodiest of all wars would be over.

Veterans of World War I saw staggering losses in bitter trench warfare and history's first use of such horrible tactics as gas warfare. Fewer than 20,000 veterans of that brutal conflict are still alive today.

Cemeteries in two small towns in northwest Maryland contain the dead from the bloodiest day of the Civil War. The United States and the world learned of the awful toll of war when two of Mathew Brady's assistants photographed the dead of the 1-day battle at Antietam. The pictures brought home the shocking toll of war and its accompanying sacrifice when they were first displayed in 1862, and they are no less shocking today. Each Memorial Day, the 2,100 graves of the Union dead are decorated with small American flags, a scene which stirs the conscience, but which only hints at the sacrifices which took place on the day of the battle. The nearby cemetery containing 2,400 Confederate dead, no less valiant, is undecorated on most Memorial Days, because there are not sufficient funds to remember the sacrifice of these equally selfless men and boys.

Battlefields and cemeteries remind us of the terrible sacrifices and loss of life in war. But many of us or our family members remember all too directly the experience of war. The first half of this century saw two world wars. These were the "wars to end all wars". How wrong we were to think the experience of war was behind us! Consider Korea, Vietnam, Lebanon, Grenada, and Panama. The Persian Gulf, Somalia, and Haiti. We have asked much of our fighting men and women.

Although many members of our Armed Forces are buried on foreign soils, there are cemeteries throughout this country which contain the remains of the very best that America had to offer. Remembering is what Memorial Day is for, and what gives it meaning is how each one of us remembers the great sacrifices which have made possible the blessings we share as Americans today.

LOS ANGELES STUDENTS RECEIVING THE "TOOLS FOR SUCCESS"

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 9, 1995

Mr. TORRES. Mr. Speaker, I rise today to recognize the Miller Brewing Company and the Los Angeles Trade Technical College (LATTC) for establishing the "Tools for Success" Scholarship Program.

Since it began 4 years ago, the scholarship program has built a nationwide reputation and expanded into six more cities. Instead of awarding students with scholarship funds, "Tools for Success" provides graduates with the actual tools they will need to excel in their profession. Whether it is automotive repair or fashion design, students embarking on a career will have both the skills and the implements to compete in the marketplace.

The top two graduates from 16 selected trade professions at Los Angeles Trade Technical College are honored annually. Each of the 32 honorees will receive a complete set of tools to help them begin their career. Since Miller Brewing started the Tools for Success Program more than 100 graduates have benefited. Each honoree receives a set of tools donated by Snap-On Tools, valued between \$1,500 and \$2,000. Southern California Edison is also a partner in making this nationwide program a reality. Each of the scholarship sponsors deserves credit for developing a well-trained workforce that will stand ready to face the challenges of the 21st century.

Unfortunately, congressional duties will prevent me from attending the fourth annual awards ceremony. I say this partly because the College's renowned culinary arts students will prepare the awards luncheon.

The program is the brainchild of Victor Franco, Public Relations Manager, Miller Brewing Company at the Irwindale Brewery. Victor realized that vocational students have often been shortchanged at the scholarship table. Ninety percent of vocational graduates are required to have their own tools before they are hired. Often students cannot afford to make the large investment. By putting the tools in their hand, the students are well on their way to finding a job and honing their skills in the working world.

Mr. Speaker, I ask my colleagues to join me in honoring their year's Tools for Success scholarship awardees and to all of the individuals who have made this program thrive.

AN AMENDMENT ADDRESSING THE DEFINITION OF A SMALL BUSINESS IN SECTION 322

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 9, 1995

Mr. BACHUS. Mr. Speaker, under Chairman Shuster's bill, H.R. 961—Clean Water Act Amendments of 1995, general and site-specific permits are required unless the entity can prove that its activities do not pose a significant risk to health and the environment, in which case, a permit would be required. However, an exemption is provided for small businesses that meet the definition of "small busi-

ness" as promulgated by the EPA. Under the provisions of the committee bill, a small business is exempt from general and site-specific permits unless the State finds that, without permits, stormwater discharges would have a significant adverse effect on water quality. In this case, a permit would be required regardless of whether the entity was a small business or not.

While the reformed permitting process is a tremendous positive step in the right direction, the bill leaves it to the discretion of the EPA to define "small business." We fear that EPA will attempt to circumvent the clear intent of the bill and define "small business" so narrowly that it has no practical application.

The amendment which I plan to offer, a copy of which follows, uses similar language from section 507 of the Clean Air Act as it relates to defining "small business" based on number of employees. Under the Small Business Stationary Source Technical and Environment Compliance Assistance Program, small business is defined as having 100 or fewer employees. Our amendment as written would still allow EPA to define "small business," but any definition would have to include language to define "small business" as having 100 or fewer employees.

Even if this amendment is adopted, a State would still maintain authority to require permits by certain small businesses if it found that the stormwater discharges from the business would have a significant adverse effect on water quality. The amendment is intended to reduce the cost and paper-work that literally thousands of small business would be burdened with if they were not initially excluded from the permitting process.

AMENDMENT TO H.R. 961, AS REPORTED
OFFERED BY MR. BACHUS OF ALABAMA

Page 146, line 21, after the period insert the following:

At a minimum, the term "small business" shall include a corporation, partnership, unincorporated business, and sole proprietorship employing 100 or fewer full time employees.

AN AMENDMENT TO RESOLVE THE TACOMA DECISION

HON. BILL EMERSON

OF MISSOURI

HON. BILL K. BREWSTER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 9, 1995

Mr. EMERSON. Mr. Speaker, the purpose of this amendment is to resolve the friction and conflict that the Clean Water Act, as interpreted by the Supreme Court in its 1994 Tacoma decision, is creating with the Federal Power Act. The Supreme Court has interpreted the Clean Water Act, in particular section 401 of the Act, so broadly as to effectively supersede the Federal Energy Regulatory Commission's licensing authority over hydropower projects under the Federal Power Act. This amendment would rectify that situation by exempting hydropower projects from regulation under the Clean Water Act.

The Federal Energy Regulatory Commission already conducts a comprehensive review of proposed new hydropower projects when first

deciding whether to issue a license and again upon relicensing. That review takes into account the inputs of state and federal agencies, Indian tribes, and the public. The review also carefully evaluates and addresses the potential environmental impacts of each proposed and existing project. Therefore, in the context of hydropower projects under the Commission's jurisdiction, there is no need for the additional, duplicative layer of regulation that the Clean Water Act now creates. This amendment eliminates the duplicative layer of federal regulation.

CUTS IN NUCLEAR ARSENALS NEEDED

HON. ELIZABETH FURSE

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 9, 1995

Ms. FURSE. Mr. Speaker, I would like to submit for the RECORD the letter I and 24 of my colleagues sent to President Clinton last Friday. In it, we urged him to propose beginning negotiations with Russia on a START III agreement, to further limit our two nations' massive nuclear weapons arsenals.

Depending on the outcome of this week's summit in Moscow, I will consider introducing a resolution similar to this letter. I believe these reductions are vital in order to achieve a safer world for all of us.

ELIZABETH FURSE,
U.S. HOUSE OF REPRESENTATIVES,
May 5, 1995.

Hon. WILLIAM J. CLINTON,
*President of the United States of America,
The White House, Washington, DC.*

DEAR MR. PRESIDENT: We wish you success in your upcoming summit with President Boris Yeltsin in Moscow.

The substantial improvement in relations between Russia and ourselves in this post-Cold War era offers a historic opportunity to secure further reductions in nuclear arms, thereby reducing the nuclear risk and cost for the United States, Russia and the world. As you know, at your September 1994 summit with President Yeltsin, you agreed that our two nations would discuss possibilities for further limits on our remaining nuclear forces, including further reductions. As you prepare for the summit, we urge you to prompt the United States Senate to complete START II approval of ratification. In Moscow, we urge you to encourage Russia also to ratify START II.

We believe that the United States should begin negotiations with Russia as quickly as possible on a START III agreement to achieve deeper cuts in our strategic nuclear arsenals. Such an agreement should require dismantling excess warheads and placing the resulting nuclear materials in storage under international or bilateral monitoring. We also encourage you to initiate negotiations with Russia to retire and dismantle all tactical nuclear weapons in our respective arsenals.

Additional measures toward nuclear disarmament enjoy broad support among the American public and are vital to reducing the threat of nuclear conflict. We hope you will include these practical steps in the summit agenda.

Sincerely,

Tom Barrett, Howard Berman, Sherrod Brown, Bob Clement, Peter DeFazio, Ron Dellums, Michael Doyle, Lane Evans, Elizabeth Furse, Sam Gejdenson, Maurice Hinchey, Zoe Lofgren, Ed Markey, David Minge, Connie Morella, Jim Oberstar, Major Owens, Frank Pallone, Nancy Pelosi, Martin Sabo, Pat Schroeder, Jose Serrano, Louise Slaughter, Pete Stark, Ron Wyden,

AN AMENDMENT ADDRESSING HYDROELECTRIC POWER GENERATION

HON. SPENCER BACHUS

OF ALABAMA

HON. GREG LAUGHLIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 9, 1995

Mr. BACHUS. Mr. Speaker, last year, the U.S. Supreme Court issued a decision commonly referred to as the Tacoma decision that has created friction, conflict, and unnecessary, duplicative regulation for the Nation's hydropower projects. Specifically, the Court has interpreted section 401 of the Clean Water Act so broadly as to supersede the Federal Energy Regulatory Commission's licensing authority over the projects under the Federal Power Act.

The Court's opinion allows State water quality agencies to set conditions directly on the operation of hydropower projects, not just the discharges they produce. Furthermore, these conditions are not limited to standards set under the act but can be based on independ-

ent State laws that may not have water quality as their objective. The Court also said that water quality agencies can evaluate whether a project is consistent with the agency's designated uses for the water body, not just narrative and numeric water quality criteria. Most troubling, the Court also said that the conditions can directly address stream flows, even for aesthetic, fish and wildlife, or recreation purposes.

The following amendment, which we plan to offer to H.R. 961, the Clean Water Act Amendments of 1995, would restore the Federal Energy Regulatory Commission's licensing authority by narrowing the reach of the Clean Water Act, in particular section 401, as to hydroelectric projects. The amendment would limit State water quality agencies to applying narrative and numeric water quality criteria to the project discharges. If an agency wants to go beyond those definitive criteria, then it would need to submit its recommendations to the Commission for consideration as part of the Commission's comprehensive licensing review of the projects. Under section 10(a) of the Federal Power Act, such recommendations would get serious consideration, along with the numerous other environmental, recreational, and other recommendations the Commission reviews for each project.

AMENDMENT TO H.R. 961, AS REPORTED
OFFERED BY MR. BACHUS OF ALABAMA

Page 213, after line 5, insert the following:

SEC. 507. FEDERAL POWER ACT PART I PROJECTS.

Section 511(a) (33 U.S.C. 1371(a)) is amended by striking “, or (3)” and inserting the following: “; (3) applying to hydropower projects within the jurisdiction of the Federal Energy Regulatory Commission or its successors under the authority of part I of the Federal Power Act (16 U.S.C. 791 et seq.); except that water quality certification, unless waived or denied, shall be issued for such projects under section 401 and the water quality conditions in those certifications shall become conditions on project licenses and except that any water quality certification conditions or denial issued under section 401 shall be limited to consideration of narrative and numeric water quality criteria adopted in water quality standards under section 303 and such conditions shall not regulate, or such denial be based on, water use or water quantities; or (4)”.

Renumber subsequent sections of the bill and conform the table of contents of the bill accordingly.