Oceanography—that San Diego was already doing the right thing for our environment.

By 1992, my colleagues on the San Diego City Council came around and agreed with my position—that the requirement to upgrade the Point Loma treatment plant to secondary standards was ridiculous.

When I first ran for Congress, I promised to solve this sewage problem. And one of the first bills I introduced as a freshman in the 103d Congress was H.R. 3190, which is very similar to the bill that five of us introduced today.

But, unfortunately, here in Congress, I also met with resistance. I was told other cities were required to meet the secondary treatment standards, why should San Diego be treated differently?

I made it clear that my bill would in no way compromise the integrity of the Clean Water Act. In fact, by amending the law with common sense changes based on science, my legislation would ensure that the Clean Water Act had the flexibility needed to deal with unique situations and at the same time protect America's waters.

Mr. Speaker, let me explain. Existing law requires every city—regardless of environmental conditions and circumstances—to treat sewage at the secondary level. Yet scientific studies have proven that sewage treated at the chemically enhanced advanced primary level of treatment used by the city of San Diego, which removes over 80 percent of suspended solids in the sewage and discharges the treated effluent more than 4 miles out to sea at depths greater than 300 feet, does no environmental harm. In fact, eliminating power-consuming secondary treatment and the additional sludge it would produce would spare the environment from pollutants associated with wastewater treatment.

The city of San Diego is blessed with unique environmental conditions. The Continental Shelf drops off very sharply from the California coast. There is a very active ocean current. It also has an ocean outfall that is specifically engineered to maintain its surrounding waters so that our citizens can swim, fish, or boat with total confidence in our water quality.

By the end of the last session, my colleagues in the Congress agreed with my position and unanimously passed my bill to allow San Diego to apply for a waiver from the requirements of the Clean Water Act. And I have every confidence that this Environmental Protection Agency will approve San Diego's application for a waiver.

So why introduce another bill? Because this new legislation will ensure that San Diego will not have to jump though any more regulatory hoops.

Mr. Speaker, it costs more than $1 million to prepare an application for a waiver—and these waivers are temporary. The waivers are only good for a 5-year period. What is to prevent another administration from reversing its position and unilaterally trying to force San Diego to spend billions of dollars in unnecessary upgrades to its sewage treatment system? After all, history shows that the two previous administrations vigorously pursued such a lawsuit against San Diego.

There is scientific proof that this legislation is good environmental policy. Scientists from the highly respected Scripps Institution of Oceanography have concluded that upgrading from advanced primary to secondary treatment—the treatment required by current law—would have virtually no positive impact on our ocean's ecology.

In other words, the incredible costs for a small incremental increase in the purity of wastewater discharged into the ocean could not be justified by any measurable environmental gain.

I have led the fight against this unnecessary requirement since the time I served as a member of the San Diego City Council—that's over 6 years now. Today's action is the first time that the entire San Diego congressional delegation has united in this effort. And I applaud my colleagues for making this amendment a priority.

I hope that all of my colleagues in the 104th Congress will agree with us.

As this regulatory dance comes to its grand finale, the big winner will be the ratepayers of San Diego.

□ 2110

THE LINE-ITEM VETO DEBATE

The SPEAKER pro tempore (Mr. LAHOOD). Under a previous order of the House, the gentleman from West Virginia [Mr. WISE] is recognized for 5 minutes.

Mr. WISE. Mr. Speaker, I am going to speak tonight on the item that has been under discussion so much today, which is the line-item veto debate, and I want to say starting out that I have consistently supported for a number of years a modified line-item veto.

I voted on it at least twice in this House; I voted for it. This House passed a modified line-item veto twice last session of Congress. It died in the other body.

I will be offering, along with the gentleman from South Carolina [Mr. SPRATT] and the gentleman from Texas [Mr. STENHOLM], a substitute to the bill that is here before the committee, a substitute to the Republican version of a modified line-item veto.

Let us make clear what the goals are for all of us in dealing with a line-item veto discussion. The goals are twofold. First of all, the President be able to veto items in an appropriation bill that he or she thinks are unacceptable and send them back to the Congress for a vote up or down.

The second goal is that all Members be held accountable and must be forced to vote upon this veto.

The present system says that the President can rescind an item, that is, he can line-item it out, but that in order for it to go into effect, the Congress must act affirmatively. It must, both Houses, must act and vote ''yes'' in order for that to be preserved. The reality is that the Congress rarely takes a rescission up that the President sends in that vein, and it dies for failure of the Congress to act.

In both cases, the Republican version and the substitute that we will be offering, the Congress will be forced to vote upon this within a certain time limit. I think it is important to note that there are some letters flying around and discussion, is on an enhanced rescission, is on an expedited rescission. The fact of the matter is that whatever the policy wonks may call it, in both cases, the Republican version and our version, you are talking about a modified line-item veto, not a constitutional amendment, but a change in the statute.

Now, where are the differences? The differences are very clear. The difference is that at the end of the day after you go through the procedural hoops that each bill has, or the procedural requirements would be better stated, at the end of the day the Republican version requires two-thirds majority in order to overturn a rescission; in other words, it takes two-thirds of the Congress to say to the President, ''We do not agree, and you cannot take that item out.''

What that effectively does is to give control of the Congress to one-third-plus-one, a minority.

My version, the Spratt-Stenholm-Wise version, takes the other tack, which is to say it requires only a simply majority in order to defeat a rescission, and so the Congress must vote, but the majority rule is preserved, and a minority does not control the appropriations process.

Now, some argue that this really does not make any sense, that since a half of the Congress already voted for the total appropriations bill in which the offensive item was included, that, therefore, why should anyone expect that the Congress would reverse itself, that that majority would reverse itself? The answer is very clear: An appropriations bill that leaves here, a total appropriations bill, is a large package. It has many separate items in it, and sometimes you will vote for the entire package, because overall it is desirable even though there are individual items you disagree with.

What we are saying is that now when it comes back and the President has line-itemed out that offensive item, that now you can expect the Congress to take a fresh look at it, particularly since the Congress knows, every Member here knows, that their constituents at home are looking to see how they voted on this specific chance to cut the deficit and to cut the budget.

What is the significance of the difference between the Republican version and our version in terms of the two-thirds required to overturn versus the majority? It is very simple. It is one-

third-plus-one. You believe that one-third-plus-one, a minority, ought to be able to control whether or not an item is preserved or not. I think that is too great a shift. The reality is almost no rescission by the President will be overturned.

Some may say, ''BOB, you may be concerned about an item in West Virginia that would be line-itemed out.'' Certainly. But I think that if I can come to the floor and convince the majority of Members, the simple majority, that it is in the country's interest and it is a valid item, that it should be preserved.

Today it may be my problem. Tomorrow it may be somebody else's problem. Those of you from defense industry States, for instance, may feel some concern about what happens to military installations and defense projects that are so important, knowing that one-third-plus-one and an unsympathetic President, whoever, whenever that could be, could completely play havoc with your particular concerns.

This is a majority-rule country, 50 percent, and so I would simply ask Members to look closely at the Spratt-Stenholm-Wise substitute that will be offered, and I might add as well, that the gentleman from South Carolina [Mr. SPRATT] and the gentleman from Texas [Mr. STENHOLM] will be offering an additional amendment should our substitute fail. We will be offering an additional amendment that would simply add the provisions of this legislation to the existing Republican version in case the provisions of the Republican version are struck down as unconstitutional or should the President choose to follow the process that we have outlined versus the one that the Republican version outlines.

Let me also, as I finish up, reassure everyone in both cases you are guaranteed a vote in this Congress. You do not get away from that, and no Member gets away from having to go on the record, and in our case, it is usually 10 days from the time that the President submits that rescission to Congress.

I urge Members to take a close look and to vote for majority rule in this process.

EXPRESSING CONCERN FOR OUR MILITARY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from Maine [Mr. LONGELY] is recognized for 60 minutes as the designee of the majority leader.

Mr. LONGLEY. Mr. Speaker, it is a privilege and an honor to be part of this historic 104th Congress and to actively participate in one of our most sacred and basic responsibilities, insuring that the military forces of our country are prepared to fulfill any task, defeat any threat, and perform any mission their civilian leadership calls upon them to execute.

While this responsibility falls to every Member of Congress, I am especially pleased to have the additional honor of serving on the National Security Committee, formerly the Armed Services Committee. This committee assignment gives me the unique opportunity to examine our military and its overall capabilities to fulfill its missions in detail.

This will be a challenging assignment, but we have the wisdom and the very capable leadership of two veterans of this committee to guide us, first, the gentleman from South Carolina [Mr. SPENCE], the chairman of the full committee, and the gentleman from California [Mr. HUNTER], the chairman of my subcommittee, the Procurement Subcommittee.

Mr. Speaker, I am concerned today for the ability of our military to perform the many tasks we require of them, given the drawdown of our forces and the precipitous decline in funding over recent years. Any inability to perform missions is, I must stress, not for the lack of dedicated, professional, capable American men and women in uniform.

I am concerned that we, as a Nation, and specifically as a Congress, have not given our military the tools, the training, the equipment, and the support they need in recent years commensurate with the missions we have given them.

That is why I am looking forward to the committee hearing process this year. It will give me and my colleagues the opportunity to judge exactly the state of readiness that currently exists in our forces and that we need to do to restore the level of efficiency and readiness we think is desirable.

In examining the state of readiness of our forces, I think certain basic elements are guideposts. First, the quality of life for our service men and women and their families must be high, especially since we ask them to perform long hours often away from home for months at a time.

Mr. Speaker, I have been privileged to serve as a member of our armed services, particularly amongst the first marines and rangers assigned to northern Iraq during Operation Provide Comfort in the days in the aftermath of Desert Storm, but I am also proud to have served with soldiers, sailors, airmen, and marines over a period of time both on active duty and as a reserve officer, and I can personally vouch for the high quality and standards under which they serve.

Our forces, No. 2, must have adequate, realistic, comprehensive training to professionally meet the many challenges they face in this still very dangerous world.

□ 2120

No. 3, they must have adequate spare parts and equipment both to train realistically and to engage in potentially hostile missions.

No. 4, we need modern equipment. It is essential, as we cannot afford to stop the replacement of equipment to meet the ever sophisticated battlefields and threats around the world. We need our equipment ahead of time, not in the middle or after the fact because at that point it is too late.

No. 5, we need a sound ability to deploy our troops to crises around the world and especially as our force structure declines. It is key that we maintain an ability to influence world events through the rapid deployment of men, women, material and equipment in situations that affect our national interests.

Our military forces have taken the brunt of budget cutting for too long. It is clear that statistics are now indicating that our level of defense spending has now reached amongst the lowest level since since prior to Pearl Harbor. for a Nation of our size and economic significance it is time that we question whether in fact we are devoting the resources that we need to the crises that we may be asked to confront.

I think this is not a blank check. I think defense is on the table as we look at the budget, along with everything else other than Social Security. But I think we have to examine carefully our needs and be prepared, if necessary, to devote the budgetary resources necessary to insure military success in any contingency.

Toward that end I look forward to our committee work this year and will be working hard especially with my chairman, both the gentleman from South Carolina [Mr. SPENCE] and the gentleman from California [Mr. HUNTER] to do what is necessary.

I think it is also important that we establish the fact that in this new Congress defense is going to be receiving the same level of scrutiny as any other program in the budget. It is interesting that in the last 3 weeks, since this Congress first began to consider legislation, that our first major piece was the Congressional Budget Accountability Act, which held the Congress to the same standards that we hold the rest of the Government and the rest of the private sector.

Our next major piece of legislation was the balanced budget amendment. Just several days ago we passed unfunded mandates legislation. Again, in the course of looking at both the balanced budget amendment as well as the unfunded mandates legislation we were confronted with numerous requests. In fact, in the case of unfunded mandates nearly 160 different amendments that sought to carve out special exceptions from the unfunded mandate provisions of our legislation, the same type of opposition and exception was brought to the balanced budget amendment debate.

I mention that because this afternoon this House defeated an attempt to apply special provisions for the Defense Department under the line-item veto. That provision was defeated.