

for solid waste materials safety training for workers in Mexico and the United States within the 100-mile zone specified in the First Stage Implementation Plan Report for 1992-1994 of the Integrated Environmental Plan for the Mexico-United States Border, issued by the Administrator in February 1992.

(5) A review of the adequacy of existing emergency response networks in the border region involved, including the adequacy of training, equipment, and personnel.

(6) An analysis of solid waste management practices in the border region involved, including an examination of methods for promoting source reduction, recycling, and other alternatives to landfills.

(d) SOURCES OF INFORMATION.—In conducting a study under this section, the Administrator shall, to the extent allowable by law, solicit, collect, and use the following information:

(1) A demographic profile of border lands based on census data prepared by the Bureau of the Census of the Department of Commerce and, in the case of the study described in subsection (b)(1), census data prepared by the Government of Mexico.

(2) In the case of the study described in subsection (b)(1), information from the United States Customs Service of the Department of the Treasury concerning solid waste transported across the border between the United States and Mexico, and the method of transportation of the waste.

(3) In the case of the study described in subsection (b)(1), information concerning the type and volume of materials used in maquiladoras.

(4)(A) Immigration data prepared by the Immigration and Naturalization Service of the Department of Justice.

(B) In the case of the study described in subsection (b)(1), immigration data prepared by the Government of Mexico.

(5) Information relating to the infrastructure of border land, including an accounting of the number of landfills, wastewater treatment systems, and solid waste treatment, storage, and disposal facilities.

(6) A listing of each site in the border region involved where solid waste is treated, stored, or disposed of.

(7) In the case of the study described in subsection (b)(1), a profile of the industries in the region of the border between the United States and Mexico.

(e) CONSULTATION AND COOPERATION.—In carrying out this section, the Administrator shall consult with the following entities in reviewing study activities:

(1) With respect to reviewing the study described in subsection (b)(1), States and political subdivisions of States (including municipalities and counties) in the region of the border between the United States and Mexico.

(2) The heads of other Federal agencies (including the Secretary of the Interior, the Secretary of Housing, the Secretary of Health and Human Services, the Secretary of Transportation, and the Secretary of Commerce) and with respect to reviewing the study described in subsection (b)(1), equivalent officials of the Government of Mexico.

(f) REPORTS TO CONGRESS.—On completion of the studies under this section, the Administrator shall, not later than 2 years after the date of enactment of this Act, submit to the appropriate committees of Congress reports that summarize the findings of the studies and propose methods by which solid waste border traffic may be tracked, from source to destination, on an annual basis.

(g) BORDER STUDY DELAY.—The conduct of the study described in subsection (b)(2) shall not delay or otherwise affect completion of the study described in subsection (b)(1).

(h) FUNDING.—If any funding needed to conduct the studies required by this section is

not otherwise available, the President may transfer to the Administrator, for use in conducting the studies, any funds that have been appropriated to the President under section 533 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3473) that are in excess of the amount needed to carry out that section. States that wish to participate in study will be asked to contribute to the costs of the study. The terms of the cost share shall be negotiated between the Environmental Protection Agency and the State."

SEC. 502. STUDY OF INTERSTATE HAZARDOUS WASTE TRANSPORT.

(a) DEFINITION OF HAZARDOUS WASTE.—In this section, the term "hazardous waste" has the meaning provided in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903).

(b) STUDY.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall conduct a study, and report to Congress on the results of the study, to determine—

- (1) the quantity of hazardous waste that is being transported across State lines; and
- (2) the ultimate disposition of the transported waste.

SEC. 503. STUDY OF INTERSTATE SLUDGE TRANSPORT.

(a) DEFINITIONS.—In this section:

(1) SEWAGE SLUDGE.—The term "sewage sludge"—

(A) means solid, semisolid, or liquid residue generated during the treatment of domestic sewage in a treatment works; and

(B) includes—

- (i) domestic septage;
- (ii) scum or a solid removed in a primary, secondary, or advanced wastewater treatment process; and
- (iii) material derived from sewage sludge (as otherwise defined in this paragraph); but

(C) does not include—

- (i) ash generated during the firing of sewage sludge (as otherwise defined in this paragraph) in a sewage sludge incinerator; or
- (ii) grit or screenings generated during preliminary treatment of domestic sewage in a treatment works.

(2) SLUDGE.—The term "sludge" has the meaning provided in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903).

(b) STUDY.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall conduct a study, and report to Congress on the results of the study, to determine—

- (1) the quantity of sludge (including sewage sludge) that is being transported across State lines; and
- (2) the ultimate disposition of the transported sludge.

Mr. DOLE. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

ALASKA POWER ADMINISTRATION ASSET SALE AND TERMINATION ACT

The PRESIDING OFFICER. The Senate will now resume the pending business, S. 395, which the clerk will report.

A bill (S. 395) to authorize and direct the Secretary of Energy to sell the Alaska Power Marketing Administration, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Murkowski amendment No. 1078, to authorize exports of Alaskan North Slope crude oil.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. MURKOWSKI. Mr. President, I appreciate the Chair calling up the pending legislation. I have been in conversations with the Senator from Washington with regard to concerns that she has expressed, and I am told that there are some amendments that the Senator from Washington is interested in pursuing. I have not had an opportunity to review the amendments, but I intend to take this opportunity as soon as possible and have our staffs attempt to resolve the concerns of the Senator from Washington, and it would be my intent to attempt to do this with dispatch.

Mr. President, currently the staffs are pursuing an evaluation. I want to ask the Chair the pending business before the Senate.

The PRESIDING OFFICER. The pending business is S. 395 and the Senator's amendment No. 1078.

Mr. MURKOWSKI. Have the yeas and nays been ordered?

The PRESIDING OFFICER. Not on the amendment.

Mr. MURKOWSKI. I thank the Chair. I wonder if the Senator from Washington would entertain, for a moment, an opportunity, so that we may try to accommodate the amendments, and if there is any objection if I suggest the absence of a quorum, and after we have had a chance to talk, ask that the quorum call be rescinded so that we may move into the bill.

I think there is one other Senator who is coming who wishes to speak with regard to an amendment that is pending on our side. I do not see that Senator here at this time. So rather than to take up this time that could be used in negotiating the amendments of the Senator from Washington, if there is no objection, I will suggest the absence of a quorum.

Mrs. MURRAY. I will not object. I want it to be noted that there are several Senators I need to check with, but we can go ahead and go into a quorum call and discuss this.

Mr. MURKOWSKI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DEWINE. 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. DEWINE. Mr. President, I further ask unanimous consent that I be able to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator may proceed.

A CRIME BILL

Mr. DEWINE. Mr. President, I rise today to continue my discussion of the crime bill that I intend to introduce tomorrow. As I pointed out, there are really two basic issues that we always need to address when we look at a crime bill. First, what is the proper role of the Federal Government in fighting crime in this country, understanding that over 95 percent of all criminal prosecutions really are done at the local level? The second question we always have to ask is, what really works? What matters? What makes a difference?

Last Wednesday I discussed these issues with specific reference to crime-fighting technology. We have an outstanding technology base in this country, a technology base that will do a great deal to help us catch criminals. But, quite frankly and candidly, we must expand this base. Technology does in fact matter, but we need the Federal Government to be more proactive in getting the States on line with this technology.

Having a terrific national criminal record system or huge DNA data base, or an automated fingerprint data base in Washington, DC, is good. But it will not really do the job if the police officer in Henry County, Trumbull County, Greene County, Clark County, OH, cannot tap into it; if they cannot get into it, put their own information in and get the information back out.

What my legislation does is drive the money down to the local community to help build this database system from the ground up. My legislation would help bring these local police departments on line. It would help them contribute to and benefit from this emerging nationwide crimefighting database.

Mr. President, on Thursday I discussed another aspect of my bill. I discussed what we have to do to get armed career criminals off our streets, to get them locked up and away from our children and our families. I talked about a program called Project Trigger Lock that targeted criminals who use guns and targeted them in the Federal court and prosecuted them in Federal court. My legislation would bring back "Project Trigger Lock." Further, it would toughen the laws against criminals who use guns.

We have to lock up armed career criminals. If we are trying to figure out what works and what does not work, if we are trying to figure out what is important and what is not important, what priority the U.S. Attorney General should place on different types of crime, what the priority of U.S. attorneys scattered throughout this country should be, I cannot think of anything more important than going after repeat violent offenders who use a gun in the commission of a felony.

Mr. President, the third area of the bill that I talked about on Friday has to do with crime victims. Quite frankly, in too many ways our criminal justice system has treated criminals like

they are victims and victims like they are criminals. My legislation contains a number of provisions that would make the system more receptive to the rights and claims of crime victims.

Another area: On Monday I turned to another provision of my bill. I talked about what we had to do to get more police officers on the streets, and particularly how we had to get police officers into crime-infested areas and how we had to target the finite tax dollars that we have so that we spend these dollars and that we put these police officers in areas where it would make the most difference, because the simple fact is when you put police officers on the street, when they are deployed correctly, crime does go down. My legislation reflects this plain fact. My bill over a 5-year period of time will spend \$5 billion on putting police officers on the street. But my bill would target the money to America's most crime-threatened communities.

Further, my bill, unlike the bill that passed last year, unlike the President's bill, would pay the full cost of these police officers and would pay them for not just 3 years, not just put them out for 3 years, but would do that for 5 years. We target the money to the highest crime areas in the country, the 250 highest crime areas. We pay for the police officers to go in there, and we fully pay for them not at 75 percent but at 100 percent a year and we do it for 5 years instead of 3 years.

Today I would like to discuss another part of my crime bill. That is the need for local flexibility in fighting crime. As I pointed out, 90 to 95 percent of the criminal prosecutions in this country do not take place at the Federal level. Rather, they take place at the State and local level, in communities throughout this country. Crime is a local community problem. The late Speaker of the House, "Tip" O'Neill, used to say that all politics is local. It would not be too much of an exaggeration to say the same is true of crime, that all crime is local—just about anyway. I think that any Federal crime legislation to be truly effective has to take this basic fact into account.

Mr. President, this is a historic year. From welfare to health care America today is conducting a fundamental debate on the issue of which level of government is in fact best suited to undertake which responsibilities. What we are frankly seeing this year is a thorough reexamination of the meaning of federalism. This historic debate offers a terrific opportunity to rethink the role of Government and to make our Government work better.

Mr. President, I think in this historic year when we are having this fundamental debate about federalism, the proper role of the Federal Government, the State government and the local government, I think it would be a terrible shame if we did not extend this debate to the issue of crime. We will never have a better opportunity than the present to focus our national attention on crime as a fundamentally local

problem; that is, the problem to be dealt with at the local level by local authorities. For this reason my crime legislation applies to the principle of local flexibility, local flexibility to this fight against crime.

Yesterday I talked a little bit about my objections to some of the provisions of the President's plan to put police officers on the street. Specifically, I pointed out that the President's scatter-shot approach sent police officers, frankly, in too many directions. Some of these places did not need extra police nearly as much as some other communities. The result of this approach, the Clinton approach, is to put too few police officers where the police are the most needed. That is why in my crime legislation we spend \$5 billion for police but we target that money. Whereas the Clinton administration spends \$8.8 billion, we spend only \$5 billion, but we target that money and we target it into the 250 communities in this country where the crime rate is the highest. We do it on a statistical basis, and we do it on a basis that I think makes eminent common sense.

I am convinced that by targeting the extra police only to extremely high-crime areas, we can accomplish a lot more with this \$5 billion over 5 years than the President can accomplish with his \$8.8 billion over a 5-year period.

The \$3.8 billion that is left over, along with an additional \$3.2 billion in uncommitted funds provided under my legislation, would be turned over to local communities to use as they see fit. Let me stop at this point and make a point that I hope is clear. But I want to make sure that my colleagues understand this. Our bill does not spend any more money. Our bill takes the basic \$30 billion that we have been debating now for the last several years and spends it differently, spends it, I think, more appropriately.

The dollar figures I am talking about to my colleagues in the Senate today I indicate is not one penny more than was indicated under any of the other bills that have been introduced or indicated under the President's plan.

Let me talk a little bit about this discretionary money that we are talking about.

I have worked at the local level. I have worked as an assistant county prosecutor. I have worked as the elected county prosecutor of my home county, worked at the Federal level as a Member of the House of Representatives and as a Member of the U.S. Senate. I have been in the Ohio State Senate, and I have served as Lieutenant Governor. I have had occasion to compare the efficiency and effectiveness at all levels of government. To be honest, a sheriff or county prosecutor, chief of police, or county commissioner in my home county or your home county, Mr. President, and many of the home counties of our other colleagues know a lot more about how crime money should be

spent than does the President of the United States, the U.S. Attorney General or this Senator or this body.

Under the proposal contained in my crime legislation, local government officials will get Federal money, and what they do with it will be up to them. They will be able to spend that money based on local needs, local concerns, local priorities.

Yesterday, I discussed my proposal to pay for extra police officers in the highest crime areas in America. The 250 most crime-infested areas in America are eligible under my bill for police funding. Other areas, areas that are not included in the list of the 250 worst crime areas, may decide, if they wish, that they need extra police officers. If that is the case, they may choose to spend the dollars they get from this \$7 billion local flexibility fund to pay for the extra police officers. My bill allows them that flexibility. They can use the money to hire, train, and employ these police officers, maybe put them out on the street. They can use it to pay overtime for police officers that they already have which, frankly, may, depending on the jurisdiction and the economics involved, be the best use of the funds. Or they can use it to buy extra technology that is already covered in this bill. They can use it to beef up school security, either by deploying extra police or adding measures like metal detectors. They can use it to establish and run crime-prevention programs like Neighborhood Watch and citizen patrol programs and programs to combat domestic violence and juvenile crime. They can use it to establish early intervention and prevention programs for juveniles to reduce or eliminate crime.

There was a vigorous debate last year about the issue of crime prevention. One thing I have learned in my years in local law enforcement is that even more than most programs crime prevention programs really have to be grown locally to be effective.

When you travel Ohio, as I have done, or Minnesota, or Wisconsin, and you look at crime prevention programs, I suspect in other States you find what I have found in Ohio, and that is the quality of those programs depends upon the local people. It depends on who is running the program, the dedication of that particular individual. This is not something that Washington can take a cookie cutter and duplicate, replicate across the country. They have to be grown locally.

It is clear that we have to go after those also who have chosen a life of crime. We have to apprehend them. We have to convict them. But we also have to reach out to the young people who are at risk in this country. We have to reach out to them before—they embark on a life of crime.

The best ideas on how to do this are not in Washington, DC, surprisingly. It is not with Government bureaucrats, in Washington. It is, rather, locally. Government bureaucrats in Washington, Mr. President, do not know the kids in

Greene County, OH. Do you know who does? The people in Greene County—Jerry Irwin, our county sheriff; the county prosecuting attorney, Bill Schenck. I could go on and on. That is why I wish to empower people such as County Sheriff Jerry Irwin, or County Prosecutor Bill Schenck through this proposal.

Mr. President, to mandate a prevention program from Washington, DC, is absurd. Let us trust the people on the ground, the local law enforcers who know the young people in their communities.

In conclusion, Mr. President, let me say there is a basic insight that the American people imparted to all of us last November. I hope we heard the message. That message was fairly simple and basic, that Government is best which is closest to the people.

I have worked to incorporate this basic principle into the legislation that I will be introducing tomorrow.

At this time, I yield the floor.

ALASKA POWER ADMINISTRATION ASSET SALE AND TERMINATION ACT

The Senate continued with the consideration of the bill.

AMENDMENT NO. 1078 WITHDRAWN

Mr. MURKOWSKI. Mr. President, I withdraw my amendment No. 1078 at this time.

The PRESIDING OFFICER. The Senator has that right and the amendment is so withdrawn.

The amendment (No. 1078) was withdrawn.

AMENDMENT NO. 1101

(Purpose: To provide for the energy security of the Nation through encouraging the production of domestic oil and gas resources in deep water on the Outer Continental Shelf in the Gulf of Mexico, and for other purposes)

Mr. JOHNSTON addressed the Chair. The PRESIDING OFFICER. The Senator from Louisiana.

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

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Louisiana [Mr. JOHNSTON], for himself, Mr. MURKOWSKI, and Mr. BREAUX, proposes an amendment numbered 1101.

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

The PRESIDING OFFICER (Mr. ABRAHAM). Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place in the bill, insert the following as a new Title III:

"TITLE III: OUTER CONTINENTAL SHELF DEEP WATER ROYALTY RELIEF

SEC. 301.—This Title may be referred to as the "Outer Continental Shelf Deep Water Royalty Relief Act".

SEC. 302. AMENDMENTS TO THE OUTER CONTINENTAL SHELF LANDS ACT.—Section 8(a) of the Outer Continental Shelf Lands Act, (43

U.S.C. 1337(a)(3)), is amended by striking paragraph (3) in its entirety and inserting the following:

"(3)(A) The Secretary may, in order to—

"(i) promote development or increased production on producing or non-producing leases; or

"(ii) encourage production of marginal resources on producing or non-producing leases; through primary, secondary, or tertiary recovery means, reduce or eliminate any royalty or net profit share set forth in the lease(s). With the lessee's consent, the Secretary may make other modifications to the royalty or net profit share terms of the lease in order to achieve these purposes.

"(B)(i) Notwithstanding the provisions of this Act other than this subparagraph, with respect to any lease or unit in existence on the date of enactment of the Outer Continental Shelf Deep Water Royalty Relief Act meeting the requirements of this subparagraph, no royalty payments shall be due on new production, as defined in clause (iv) of this subparagraph, from any lease or unit located in water depths of 200 meters or greater in the Western and Central Planning Areas of the Gulf of Mexico, including that portion of the Eastern Planning Area of the Gulf of Mexico encompassing whole lease blocks lying west of 87 degrees, 30 minutes West longitude, until such volume of production as determined pursuant to clause (ii) has been produced by the lessee.

"(ii) Upon submission of a complete application by the lessee, the Secretary shall determine within 180 days of such application whether new production from such lease or unit would be economic in the absence of the relief from the requirement to pay royalties provided for by clause (i) of this subparagraph. In making such determination, the Secretary shall consider the increased technological and financial risk of deep water development and all costs associated with exploring, developing, and producing from the lease. The lessee shall provide information required for a complete application to the Secretary prior to such determination. The Secretary shall clearly define the information required for a complete application under this section. Such application may be made on the basis of an individual lease or unit. If the Secretary determines that such new production would be economic in the absence of the relief from the requirement to pay royalties provided for by clause (i) of this subparagraph, the provisions of clause (i) shall not apply to such production. If the Secretary determines that such new production would not be economic in the absence of the relief from the requirement to pay royalties provided for by clause (i), the Secretary must determine the volume of production from the lease or unit on which no royalties would be due in order to make such new production economically viable; except that for new production as defined in clause (iv) (aa), in no case will that volume be less than 17.5 million barrels of oil equivalent in water depths of 200 to 400 meters, 52.5 million barrels of oil equivalent in 400–800 meters of water, and 87.5 million barrels of oil equivalent in water depths greater than 800 meters. Redetermination of the applicability of clause (i) shall be undertaken by the Secretary when requested by the lessee prior to the commencement of the new production and upon significant change in the factors upon which the original determination was made. The Secretary shall make such redetermination within 120 days of submission of a complete application. The Secretary may extend the time period for making any determination or redetermination under this clause for 30 days, or longer if agreed to by the applicant, if circumstances so warrant.