

will put additional Treaty-limited equipment; and

(iii) a detailed and comprehensive justification of the means by which introduction of additional battle tanks, armored combat vehicles, and pieces of artillery into the Treaty's area of application furthers United States national security interests.

### SEC. 3. DEFINITIONS.

As used in this resolution:

(1) AREA OF APPLICATION.—The term "area of application" has the same meaning as set forth in subparagraph (B) of paragraph 1 of Article II of the Treaty.

(2) CFE FLANK DOCUMENT.—The term "CFE Flank Document" means the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe (CFE) of November 19, 1990, adopted at Vienna on May 31, 1996 (Treaty Doc. 105-5).

(3) CONVENTIONAL ARMAMENTS AND EQUIPMENT LIMITED BY THE TREATY; TREATY-LIMITED EQUIPMENT.—The terms "conventional armaments and equipment limited by the Treaty" and "Treaty-limited equipment" have the meaning set forth in subparagraph (J) of paragraph 1 of Article II of the Treaty.

(4) FLANK REGION.—The term "flank region" means that portion of the Treaty's area of application defined as the flank zone by the map depicting the territory of the former Soviet Union within the Treaty's area of application that was provided by the former Soviet Union upon the date of signature of the Treaty.

(5) FULL AND COMPLETE AGREEMENT.—The term "full and complete agreement" means agreement achieved through free negotiations between the respective States Parties with full respect for the sovereignty of the State Party upon whose territory the armed forces or military equipment under the control of another State Party is deployed.

(6) FREE NEGOTIATIONS.—The term "free negotiations" means negotiations with a party that are free from coercion or intimidation.

(7) HELSINKI FINAL ACT.—The term "Helsinki Final Act" refers to the Final Act of the Helsinki Conference on Security and Cooperation in Europe of August 1, 1975.

(8) PROTOCOL ON INFORMATION EXCHANGE.—The term "Protocol on Information Exchange" means the Protocol on Notification and Exchange of Information of the CFE Treaty, together with the Annex on the Format for the Exchange of Information of the CFE Treaty.

(9) STATE PARTY.—Except as otherwise expressly provided, the term "State Party" means any nation that is a party to the Treaty.

(10) TASHKENT AGREEMENT.—The term "Tashkent Agreement" means the agreement between Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Moldova, Russia, and Ukraine establishing themselves as successor states to the Soviet Union under the CFE Treaty, concluded at Tashkent on May 15, 1992.

(11) TREATY.—The term "Treaty" means the Treaty on Conventional Armed Forces in Europe, done at Paris on November 19, 1990.

(12) UNITED STATES INSTRUMENT OF RATIFICATION.—The term "United States instrument of ratification" means the instrument of ratification of the United States of the CFE Flank Document.

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. D'AMATO:

S. 733. A bill to amend the Clean Air Act to expand the coverage of the single transport region established to control interstate pollution and to apply control measures throughout the region, and for other purposes; to the Committee on Environment and Public Works.

### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. D'AMATO:

S. 733. A bill to amend the Clean Air Act to expand the coverage of the single transport region established to control interstate pollution and to apply control measures throughout the region, and for other purposes; to the Committee on Environment and Public Works.

#### THE ACID DEPOSITION AND OZONE CONTROL ACT OF 1997

Mr. D'AMATO. Mr. President, I rise today to introduce legislation to address a scourge that has long afflicted the State of New York and many parts of the Northeast. That scourge is acid rain.

Ending the scourge of acid rain will not be easy. In fact, it is likely that additional congressional efforts will be necessary to fully address this issue and I intend to continue to work on such efforts. However, I believe that it is necessary to introduce this legislation at this time to make the Senate aware that serious measures must be taken to solve the acid rain problem that continues to impact New York and the Northeast. I look forward to working with my colleagues to develop the most sensible and cost-effective approach to eliminate the damages of acid rain.

Over the past 15 years, Congress and the Federal Government have attempted to address this problem. Unfortunately, efforts to date have not yielded the success in may State that New Yorkers had wished. Lakes, streams, and trees in the Adirondacks are still dying due to sulfur dioxide and nitrogen oxide emissions that are transported from upwind sources. The health of New Yorkers and New York's environment continue to be affected by fuel burning activities in other regions of our Nation. That must change. This bill will see that significant reductions in sulfur dioxide and nitrogen oxides are achieved so that New Yorkers and also others in the Northeast will be able to enjoy a cleaner environment.

Acid rain forms when sulfur dioxide [SO<sub>2</sub>] and nitrogen oxides [NO<sub>x</sub>]—created from the burning of fossil fuels—react with water vapor in the atmosphere to create dilute amounts of sulfuric and nitric acid. These acids then fall to Earth either through precipitation or as gases and dry particles—dry deposition. Congress first passed legislation to address acid rain in the 1982 Clean Air Act amendments. It soon became clear, though, that the provisions would not effectively curb acid rain. The New York State Legislature in 1984 recognized this problem and enacted

programs leading to specific reductions of in-State acid rain sources. The success of those efforts have produced a 40-percent reduction to date of in-State emissions of sulfur dioxide and nitrogen oxides.

New York's efforts notwithstanding, only a small amount of the acid rain that impacts New York State actually originates in New York State. To truly protect New York's environment, it was necessary for facilities in other parts of our Nation to reduce their emissions. Partly as a result of New York's efforts, Congress included title IV in the 1990 Clean Air Act amendments to require a 50-percent decrease nationwide in sulfur dioxide emissions by the year 2000. Because of the requirements of title IV, significant reductions in sulfur dioxide have occurred already. Nevertheless, these reductions are not enough to fully protect the Adirondacks, nor will they reverse the damage that has been done. To do this, further decreases in sulfur dioxide emissions will be necessary.

Even with all the many efforts to date and those that need to be achieved in the future, reductions in sulfur dioxide alone will not be sufficient to protect New York's environment from continued acid deposition. Other pollutants, mainly nitrogen oxides [NO<sub>x</sub>], have also been shown to play a significant role in the acidification of our waters and forests. Without further controls of nitrogen oxides, the EPA estimates that the number of acidic lakes in the Adirondacks will increase to 43 percent by the year 2040. Such an increase will see approximately 1,300 lakes out of the 3,000 in the Adirondacks become chronically acidic. This is not the kind of legacy that we should pass along to future generations.

Even with the controls that the Clean Air Act of 1990 imposed, more must be done if the Adirondacks are to be spared further acidification. This legislation will require the Environmental Protection Agency [EPA] to promulgate regulations to reduce utility emissions of sulfur dioxide and nitrogen oxides by two-thirds from 1990 levels. This legislation targets those areas of the Nation that are the primary contributors of these pollutants. Such reductions will produce dramatic decreases in acid deposition in New York and throughout the Northeast, as well as decreases in the level of fine particulates, ozone and haze.

The bill would also expand the membership of the existing Ozone Transport Commission from the current 12 States to include additional States that have been shown to contribute to the long-range transport of ozone and acid rain. The Ozone Transport Commission is authorized under the Clean Air Act to make recommendations for pollution controls to be enacted by member States. The EPA can either approve or disapprove any recommendations. However, the EPA would have to provide equivalent alternatives in those cases

where it disapproves the recommendations.

Once enacted, this bill would require those States that contribute to acid rain pollution to implement control measures like those currently in place in New York and the Northeast. These include activities like scrubbers on smokestacks, low NO<sub>x</sub> burners, and the use of low-sulfur coal, although the bill would not mandate which technology to use.

For some time now, New York has played by the rules and has gone the extra mile to reduce the emissions that cause acid rain within her borders. While I recognize that the reductions associated with title IV of the Clean Air Act will move us in the right direction, no amount of effort on the part of New York or other similarly afflicted States in the Northeast can be effective if other parts of our Nation do not do their fair share. Enough is enough. I only ask for equity from our neighbors so that New York may be able to enjoy a cleaner environment and the resulting health benefits. It can be done.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

#### S. 733

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Acid Deposition and Ozone Control Act of 1997".

#### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1)(A) reducing atmospheric nitrogen oxide will reduce acidic deposition, and the serious adverse effects of acidic deposition on public health, natural resources, building structures, and ecosystems; and

(B) acidic deposition has been demonstrated to result in increased morbidity in fish and severe damage to water bodies and forest lands;

(2)(A) reducing atmospheric nitrogen oxide will provide further benefits by decreasing ambient levels of tropospheric ozone, fine particulate matter, and regional haze associated with poor visibility; and

(B) such conditions have been demonstrated to result in severe threats to public health, including lung irritation, increased incidence of asthma and bronchitis, and increased human morbidity;

(3)(A) nitrogen deposition into affected watersheds can result in excessive nutrient enrichment leading to algal blooms and increased biological oxygen demand; and

(B) such conditions can lead to increased morbidity in marine life and severe degradation of economic and recreational opportunities;

(4) additional reductions in sulfur dioxide beyond levels currently required by the Clean Air Act (42 U.S.C. 7401 et seq.) will result in decreases in acidic deposition, regional haze, and ambient levels of fine particulates;

(5) the allowance trading program established in the Clean Air Act for the reduction of emissions of sulfur dioxide has been highly effective at creating cost-effective control measures;

(6) the technology exists to inexpensively reduce sulfur dioxide emissions beyond the

levels currently required by the Clean Air Act;

(7) the ozone transport region established by the Clean Air Act to reduce long-range transport of ozone does not currently include all the States necessary to achieve the intended reduction; and

(8) this Act shall support the Environmental Protection Agency's stated objective of controlling ground level ozone through regional controls, as developed by the Ozone Transport Assessment Group and referred to in the January 10, 1997, advanced notice of proposed rulemaking for State implementation plans under section 110(k)(5) of the Clean Air Act (42 U.S.C. 7410(k)(5)).

(b) PURPOSES.—The purposes of this Act are—

(1) to recognize the scientific evidence that emissions of nitrogen oxide present a substantial threat to public health and the environment;

(2) to require reductions in the emission of nitrogen oxide;

(3) to recognize that the means exist to cost-effectively reduce emissions of sulfur dioxide beyond the levels currently required by the Clean Air Act;

(4) to require reductions in the emission of sulfur dioxide;

(5) to recognize that tropospheric ozone is a regional problem;

(6) to recognize that the single ozone transport region created by the Clean Air Act does not currently include all the States necessary to adequately address the problem of ozone; and

(7) to amend the Clean Air Act to expand the membership in the ozone transport region by using the best currently available science to include those States that contribute to ozone levels in noncompliance areas within the current single ozone transport region.

#### SEC. 3. CONTROL OF INTERSTATE OZONE AIR POLLUTION.

(a) ADDITIONAL STATES.—Section 184(a) of the Clean Air Act (42 U.S.C. 7511c(a)) is amended after the first sentence by inserting the following: "The Administrator, using the best available science and models developed by the Ozone Transport Assessment Group, shall add any State to the single ozone transport region that contributed 4 parts per billion or more to ozone via aerial transport to the ozone level of any noncompliant area in the single ozone transport region for any 1 of the second through tenth worst ozone days that occurred during the previous 10 years."

(b) CONTROL MEASURES.—Not later than 18 months after the date of enactment of this Act, any control measure adopted under section 184(a) of the Clean Air Act (42 U.S.C. 7511c(a)) before the date of enactment of this Act shall apply to any State added to the single ozone transport region under the second sentence of section 184(a) of the Clean Air Act (42 U.S.C. 7511c(a)) after the date of enactment of this Act.

#### SEC. 4. ADDITIONAL NITROGEN OXIDE EMISSIONS REDUCTIONS.

Section 184 of the Clean Air Act (42 U.S.C. 7511c) is amended by adding at the end the following:

"(e) ADDITIONAL EMISSIONS REDUCTIONS.—

"(1) IN GENERAL.—Not later than 18 months after the date of enactment of this subsection, the Administrator shall promulgate regulations requiring reductions in the emissions of nitrogen oxide and sulfur dioxide in any State added to the single ozone transport region under the second sentence of subsection (a) to 1/3 of the 1990 levels by the year 2003.

"(2) AFFECTED UNITS.—The regulations shall apply to affected units, as defined under section 402.

"(3) ALLOWANCE PROGRAM.—The Administrator may establish an allowance trading program to carry out this subsection.

"(4) EFFECT ON OTHER LAW.—This subsection shall not affect any law (including regulations) that requires a greater reduction in emissions of nitrogen oxide or sulfur dioxide than is required by this subsection."

#### ADDITIONAL COSPONSORS

##### S. 8

At the request of Mr. SMITH, the names of the Senator from Indiana [Mr. COATS], the Senator from North Carolina [Mr. FAIRCLOTH], the Senator from Missouri [Mr. BOND], the Senator from Idaho [Mr. KEMPTHORNE], the Senator from Oklahoma [Mr. INHOFE], the Senator from Wyoming [Mr. THOMAS], and the Senator from Utah [Mr. BENNETT] were added as cosponsors of S. 8, a bill to reauthorize and amend the Comprehensive Environmental Response, Liability, and Compensation Act of 1980, and for other purposes.

##### S. 25

At the request of Mr. FEINGOLD, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 25, a bill to reform the financing of Federal elections.

##### S. 293

At the request of Mr. HATCH, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 293, a bill to amend the Internal Revenue Code of 1986 to make permanent the credit for clinical testing expenses for certain drugs for rare diseases or conditions.

##### S. 422

At the request of Mr. DOMENICI, the names of the Senator from Arkansas [Mr. HUTCHINSON] and the Senator from Hawaii [Mr. INOUE] were added as cosponsors of S. 422, a bill to define the circumstances under which DNA samples may be collected, stored, and analyzed, and genetic information may be collected, stored, analyzed, and disclosed, to define the rights of individuals and persons with respect to genetic information, to define the responsibilities of persons with respect to genetic information, to protect individuals and families from genetic discrimination, to establish uniform rules that protect individual genetic privacy, and to establish effective mechanisms to enforce the rights and responsibilities established under this Act.

##### S. 623

At the request of Mr. INOUE, the name of the Senator from Minnesota [Mr. WELLSTONE] was added as a cosponsor of S. 623, a bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

##### S. 713

At the request of Mr. DODD, the names of the Senator from Massachusetts [Mr. KENNEDY] and the Senator