other cosponsors including the gentleman from New Jersey (Mr. SMITH) for bringing this bill forward and look forward to its passage. I thank my colleagues on both sides of the aisle for supporting this important bill.

Mr. LUTHER. Mr. Speaker, I yield back the balance of my time.

Mr. GILMAN. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. FOX) for his supporting remarks.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the bill, H.R. 4660, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read:

''A bill to amend the State Department Basic Authorities Act of 1956 to provide rewards for information leading to the arrest or conviction of any individual for the commission of an act, or conspiracy to act, of international terrorism, narcotics related offenses, or for serious violations of international humanitarian law relating to the Former Yugoslavia, and for other purposes.''

A motion to reconsider was laid on the table.

SENSE OF CONGRESS REGARDING SEWAGE INFRASTRUCTURE FACILITIES IN TIJUANA, MEXICO

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 331) expressing the sense of Congress concerning the inadequacy of sewage infrastructure facilities in Tijuana, Mexico.

The Clerk read as follows:

H. CON. RES. 331

ince the 1930's, United States beaches have been severely impacted by the flow of sewage from Mexico and, in the last 2 decades, this environmental problem has been elevated to a major health and safety concern; and

Whereas, most recently, the flow of sewage from Tijuana, Mexico, has forced beach closures and caused other environmental and economic hardships in the cities of Imperial Beach, Coronado, and San Diego, California, and caused severe degradation of the Tijuana National Estuarian Wildlife Preserve: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—

(1) if the Government of Mexico does not take appropriate actions to recognize and mitigate the inadequacy of sewage infrastructure facilities in Mexico (including facilities for the treatment and transport of sewage) and the adverse environmental and economic impacts of sewage from Mexico on cities in the United States, the United States should review its obligations with Mexico under treaties and other international agreements (including agreements relating to port access, loan guarantees, and other types of foreign aid) and take appropriate actions to ensure that the Government of Mexico shares in the burdens caused by its sewage infrastructure problems; and

(2) any measurement of the responsiveness of the Government of Mexico to requests to mitigate its sewage treatment problems should be based on risk assessment procedures developed in consultation with the San Diego County Health Officer.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from Minnesota (Mr. LUTHER) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, the gentleman from California (Mr. BILBRAY) introduced this resolution and I was pleased to be able to take it up before our committee and bring it to the floor today.

This resolution highlights the serious problem of untreated sewage-tainted water flowing down the Tijuana River which is contaminating U.S. seashores and the Tijuana National Estuarian Wildlife Preserve. As recently as August of this year, 12 million gallons of river water contaminated with sewage was flowing down the Tijuana River to the Pacific Ocean every day. Ocean currents carried the contaminated water to the Imperial Beach, Coronado and San Diego area.

This is not a new problem and it has yet to find a permanent solution. There have been terrible moments of crisis since the May 1994 break in the sewage line in Tijuana which dumped 25 million gallons of raw, untreated sewage into the Tijuana River a day for three successive days.

While Mexico has made significant infrastructure investments, our Nation has assumed a majority of the burden of building new sewage treatment infrastructure, and since 1989 has appropriated $234 million for the EPA under Section 510 of the Water Quality Act for ''special purpose projects'' in San Diego. By December of this year, the United States will complete our major outstanding agreed-upon infrastructure improvement, a pipeline to carry treated wastewater some 3½ miles offshore. Still, experts estimate that this will only temporarily help address this binational problem.

It should be underscored that this is a problem that the United States and Mexico must work together jointly to resolve. Both governments must shoulder their responsibility. I have recently met with representatives of the Mexican government along with the gentleman from California (Mr. BILBRAY) to discuss this terrible problem. They have informed us that they both understand and share the deep concern of the people of our Nation who are affected. I am hopeful that the gentleman from California's concerted and tireless efforts have raised the sense of urgency on both sides of the border so that we can get on with solving this problem once and for all.

Accordingly, I ask my colleagues to join me in supporting this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. LUTHER. Mr. Speaker, I yield myself such time as I may consume. I am aware, Mr. Speaker, that the administration does have concerns about this particular piece of legislation, and I know that there are many Members that have concerns as well. Because we have a 2,000-mile border with Mexico, we face a number of issues that we simply cannot solve without the cooperation of the government of Mexico. To address these issues, we have developed an impressive number of joint efforts over the last decade. Some of these efforts are not adequately funded or staffed, but we have made progress in encouraging the government of Mexico to work with us. We all want to see the sewage problem dealt with faster and better. But we must ask ourselves when we are considering any piece of legislation such as this whether threatening unspecified retaliation for insufficient action will hasten cooperation or will it in fact undermine it. I believe that is exactly why the administration has concerns, Mr. Speaker, and I believe it would be helpful to the debate here this evening if we do hear from others that support the legislation and also others that do have concerns about it. I know the gentleman from California (Mr. BILBRAY) is a supporter and I welcome his comments.

Mr. Speaker, I reserve the balance of my time.

Mr. GILMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. BILBRAY), the author of this legislation.

Mr. BILBRAY. Mr. Speaker, I thank the chairman of the House Committee on International Relations, the gentleman from New York (Mr. GILMAN) for his steadfast support to addressing this concurrent resolution, H. Con. Res. 331. From the beginning, the chairman has been committed to addressing this as an outcome-based strategy, as it is related to the environmental crisis that we have been confronted with in San Diego, California and Imperial Beach, California and the related surrounding communities of Tijuana.

Mr. Speaker, this resolution is simply a sense of Congress. It outlines past problems, and presents the current problems in a clear, concise aspect of the infrastructure problems that relate to Tijuana, Mexico. This lack of infrastructure has forced the closure of

beaches and caused environmental and economic hardships for the San Diego region, including the degradation of the Tijuana National Estuarian Wildlife Preserve. This resolution simply states that the government of Mexico needs to recognize and mitigate the inadequate sewage infrastructure that is impacting the United States. Frankly, we need the United States and Mexico recognizing that it is the impact and outcome of this pollution that matters the most. Let me place an emphasis on the word ''review'' that is in this bill. It states that if this problem is not taken care of, then the United States will ''review'' its treaties with Mexico. That is all it says. It does not say we will repeal them. It does not mean we will be punitive, but it says we have a relationship with Mexico, we have treaties, and if there is a continuing environmental and health threat, we as Congress think that it is important enough for us to review our treaties. I do not think the word ''review'' is punitive or mean-spirited. I think it is logical. This is only a sense of Congress. It is not legally binding. All we are trying to say is that the long-term relations between our two great countries have many factors that have to be considered. Frankly one of those major factors is the environment along our frontier.

Mr. Speaker, this resolution is not punitive against Mexico. It is not anti-Mexican. It is anti-pollution. Now, there are those who oppose NAFTA. Some of my close friends opposed NAFTA because they were concerned that increased trade would equate to increased pollution, and they wanted an assurance that our trade agreements were not going to push pollution. This resolution, this sense of Congress just says that all our treaties or agreements will be considered; are they helping or hurting a pollution problem? This pollution problem predates NAFTA. Does that mean that all pollution problems that predate NAFTA now will not be considered in a treaty relationship? Some of my colleagues opposed NAFTA because they were concerned about potential pollution related to NAFTA, but I do not believe anybody who opposed NAFTA on that basis was anti-Mexican. So I would ask that my colleagues not think negatively about those of us who supported NAFTA, hoping that NAFTA would give the inspiration for this Congress and for Mexico to take care of some environmental problems that long predate NAFTA. My intention is to use this forum as a means to educate this Congress specifically on this problem.

Now, seeing the interests and concerns that Members have voiced here tonight, I feel we have been successful at least at that step. The fact is children go to the beaches in the United States and have to be told by their parents, ''Patrick, Briana, you can't go in the water. You can't go into your beaches, because a foreign country has polluted your neighborhood.''

□ 2200

The communities of San Diego and Tijuana have enjoyed a special relationship. In fact, I was the mayor of the city that was a sister city to Tijuana long before the City of San Diego even considered a formal long-term relationship with Tijuana. We have strong cultural and economic ties that enable us as neighbors to work together. Even now there are various issues that we are working on to address these issues. We are talking about the City of Imperial Beach and City of San Diego sending vector trucks into Mexico to help clear out their sewer lines. Why would one city send a sewer truck to another neighbor city? So the sewage of one does not pollute their beaches of another.

My goal tonight, Mr. Speaker, is to raise the awareness of my colleagues, to say to them they must be familiar with existing environmental problems if they are going to truly address those that they say may be created in the future. It is now my hope that this resolution will sensitize both the Mexican government and the U.S. Government to understand that this issue needs to be addressed, to inspire them to work together on outcome-based environmental strategies.

Now I have worked on this item, Mr. Speaker, for over 20 years. I have been involved in negotiations that date back to 1978 with the Carter administration, 1985 in the negotiations and 1990 that actually put together the proposal for building a plant that has cost over $200 million of taxpayers' funds. And American taxpayers who say, ''What are you going to get for it? Are our beaches really going to be clean?'' This sense of Congress will be saying we are committed to our beaches being clean.

I would ask us to look at the fact that we are going to implement improvements that tie together economic opportunities with environmental responsibility. I would say to our colleagues—is that so unfair? I would ask us to recognize that we are building plants today that people are concerned are not going to clean up the beaches. This bill is an added assurance by those of us in Congress that, yes, it will clean up the beaches and we will commit that we will do everything possible to clean up those beaches.

This August we had a meeting, because we had a situation where the beaches of Imperial Beach were closed during August, summertime, major tourist season, and the tourists came to the United States Open Sand Castle Competition, only to be greeted by red pollution signs. What do I tell Mike Bixler, the mayor of Imperial Beach, when he calls an emergency meeting and says, ''Why are my beaches being polluted by a foreign government?'' What I have told him is that I will do everything possible to educate Washington and to educate Mexico City to what the people of Imperial Beach and Coronado and San Diego are going through.

Mr. Speaker, this is only a sense of Congress. We are not asking to spend money, we are not asking to take on anything except the feeling that this has to be addressed, and our colleagues will keep an open mind.

Some may say that threats to Mexico does not work and will never work. Well, first of all, I would ask my colleagues to read the record. We are not talking about a threat, we are talking about raising a legitimate concern, just as Ambassador Gavin in 1985 raised a concern over a grant for water projects in Tijuana that would result in more sewage pouring into the United States, and because Gavin at that time spoke clearly and frankly to Mexico, Mexico agreed that we must make major improvements.

I think that this is another one of those chances for us to make a clear statement. The problem has gone on for decades and decades and decades. My colleagues, there are those who promised to take care of these environmental problems if NAFTA was passed. Those of my colleagues who oppose NAFTA raised that issue. Now is their chance to say everything will be considered to clean up the environment.

Mr. Speaker, I ask that my colleagues approve H. Con. Res. 331, and let me say sincerely I was raised in a community with raw Mexican sewage pouring in and polluting our beaches. I was raised in this kind of health threat. My children are second generation sewage kids growing up with this pollution. Please let us work together as Members of Congress, and let us work together between the United States and Mexico. Let us make a commitment tonight that from the year 2000 on, from now on, we will stop finding excuses for letting our beaches be polluted, and that the next generation of children that go to that beach will have clean beaches, pure beaches and have an environment that is safe and appropriate. Because let me tell my colleagues flat out: For those who are concerned about social injustice, that environmental policies are not enforced equally, let me assure my colleagues we are talking about a working class neighborhood that happens to have a high percentage of minorities, and they have not been represented by this Congress equally and fairly in the past. Let us start changing that today and tell the children in Imperial Beach and in Tijuana and San Diego we are committed to doing whatever we can whenever we can to make sure it does not happen any more.

Thank you, Mr. Speaker. I'd like to begin by thanking the Chairman of the House Committee on International Relations, Mr. GILMAN, for his steadfast support and effort on House Concurrent Resolution 331. After returning home to Imperial Beach to close beaches for the second summer in a row, resulting from Mexican sewage overflowing or leaking from inadequate and poorly maintained sewage treatment plants across the border, I asked Chairman GILMAN for his assistance in working on this problem.

From the beginning, Chairman GILMAN has been committed to working with me on this environmental and public health crisis. In fact, earlier this afternoon, the Chairman and I had the opportunity to meet with representatives from the Mexican Embassy to discuss both countries' mutual interest in resolving these problems. Again, I thank the Chairman for his leadership and support.

As the Chairman pointed out, H. Con. Res. 331 is simply a ''sense of Congress'' outlining past and present problems with inadequate sewage infrastructure and treatment facilities in Tijuana, Mexico. This lack of infrastructure has forced beach closures and caused other environmental and economic hardships in the south bay region of San Diego, including severe degradation of the Tijuana National Estuarian Wildlife Preserve. The neighborhoods that are directly impacted by this health threat, such as my hometown of Imperial Beach, consist of largely working class, predominately minority families.

The Concurrent Resolution goes on to state that if the government of Mexico does not recognize and mitigate the inadequacy of sewage infrastructure, then the United States should ''review'' its existing relationships with Mexico, including existing treaties and other international agreements to see where the weaknesses may exist. Let me place an emphasis on the word review. Such a review will open both the governments of the United States and Mexico to scrutiny on these agreements.

Let me be perfectly clear, this is ONLY a sense of Congress. It is not legally binding, nor does it require Congress to Act. This resolution is not punitive, nor is it anti-Mexico. Frankly, my intent is to use it as a means of educating Congress on the problems many border communities confront on a regular basis. Given the number of Members now showing interest in this issue, I think I've been successful.

I recognize and applaud the ongoing bilateral efforts and binational cooperation of the governments of Mexico and the United States in developing a long-term solution in addressing this problem. The communities of San Diego and Tijuana enjoy a special relationship. Their strong cultural and economic ties have enabled these neighbors to work together, even now, on a variety of issues, including sewage spills. My ultimate goal is for Washington, DC and Mexico City to reach this same level of cooperation and to increase their responsiveness to the local citizens of San Diego and Tijuana.

My intent is to raise the level of awareness on this issue to my fellow colleagues who may be unfamiliar with some of the unique environmental problems we have along the border. It is also my hope that with this resolution, both the Mexican and U.S. governments will understand just how serious our level of commitment is on this issue, and will be inspired to continue to work cooperatively in resolving both the short-term and long-term problems.

Unfortunately, this issue is not new to either the United States or to Mexico. In my 20 years of public service, I have had numerous meetings and extensive dialogue with national and local officials from Mexico, and have raised this issue again on two recent congressional delegation trips to Mexico, as participant in the Interparliamentary Conference. The results have been mixed. On the one hand, Mexico understands the severity of the problem and the need to build a permanent, stable and safe sewage treatment system. On the other, I recognize, better than most, the problems Mexico continues to face in terms of available financial resources.

However, the implementation of these efforts has been less than satisfactory. There has yet to be established between these communities a reliable notification system to alert them when a leak or overflow takes place. All of the communities affected need to realize that this is a regional crisis, and it will take the entire region to resolve these issues.

The United States and Mexico have demonstrated that they can work effectively together, but clearly more attention needs to be devoted to follow-through. In 1990, the United States and Mexico agreed to build a sewage treatment plant in the United States to treat sewage waste from Mexico, because the treatment plant in Mexico was unable to treat the increased volume of waste. However, leakages and overflows on the Mexican side of the border have continued to occur. Unfortunately, that waste continuously ends up on local U.S. beaches. The multi-million dollar plant can't treat sewage that doesn't get to the pipe, which can deliver it for treatment.

Frustration on the part of local officials culminated in an August meeting organized by the mayor of Imperial Beach. Participants included IBWC Commissioners from both Mexico and the United States, a San Diego County supervisor, the Counsel General from Tijuana, City of San Diego officials, and myself. While the attendees were reassured with the status of the long-term plan, concerns remain about the current overflow of sewage waste. A dialogue of possible short-term solutions was initiated at this meeting. As a result of these discussions, the cities of San Diego and Imperial Beach are attempting to send U.S. vector trucks across the border into Tijuana, Mexico to clean out the accumulated debris and cobble stones, which are causing blockages in the pipes and storm drains, which, in turn, are causing sewage to run into the Tijuana River and on to our beaches. We're awaiting final approval from Mexican Customs implementation of this project.

I'd like to raise one last issue. There are some pundits and foreign policy ''experts'' that will claim that Mexico does not respond well under pressure or to threats, and that this resolution will harm the situation more than help it. Again, this is only a ''sense of Congress''—we're only bringing long overdue attention to a very serious problem and maintain the level or urgency of this problem until a solution is in place. I might add that there are also those who will argue that the threat of pressure on Mexico has been used before as an excuse to not assert the need for change to the status quo.

More importantly, however, how can we, as a Congress, in good conscience allow our environment and our public health and safety continue to be at risk without raising this issue? This problem has been going on for decades. It's about time both sides come together and acknowledge the need to comprehensively resolve the sewage crisis along the border. H. Con. Res. 331 can begin this process.

Again, thank you for your consideration and I urge my colleagues to support House Concurrent Resolution 331.

I would ask that these materials be placed into the RECORD following my statement.

[From The Tribune, Nov. 14, 1989]

TIJUANA SEWAGE IS FLOWING FASTER, KILLING ESTUARY

(By Michael Richmond)

An increasing amount of raw sewage flowing across the border from Mexico is killing marine life and threatening birds in the Tijuana River estuary, according to a newly completed study of the huge saltwater marsh.

The increase is the result of the continued growth of Tijuana, where many neighborhoods are not hooked up to sewers. The sewage flow in the river now averages nearly 10 million gallons a day, up from about 7 million gallons a day two years ago, according to Dion McMicheaux, resident engineer here for the International Boundary and Water Commission.

A three-year federally funded study shows that the sewage-laden water flowing down the river has harmed game fish and shellfish in the saltwater marsh at the river's mouth. The marsh is a part of the 2,500-acre Tijuana River National Estuarine Reserve and the Tijuana Slough National Wildlife Refuge.

In recent years, the Tijuana River Valley has been beset with problems.

The beach stretching from the south city limits of Imperial Beach to the Mexican border, considered by some as one of the most beautiful in Southern California, is deserted most days, except for an occasional jogger or horse rider.

Among the area's troubles:

The two-mile beachfront has been under a health quarantine since 1983 because of sewage pollution from the Tijuana River. Sewage bacteria levels as much as five times the health limit have been measured in the ocean waters. Some surfers regularly ignore the warning, however.

The 390-acre Border Field State Park, nestled against the international boundary, was closed for four months in 1988 because of renegade sewage flows from Mexico, causing the closure from June to mid-September this year after it was overwhelmed with thousands of undocumented migrants and smugglers who used it as a staging area for their trips northward. The park was shut down without any public announcement and has just as quietly reopened, but only on Fridays, Saturdays and Sundays.

Biologists and other researchers studying the Tijuana River estuary and its ecosystem no longer do field work at night because of the danger from border bandits.

County health officials are worried about the potential for an outbreak of malaria or encephalitis from breeding of mosquitoes in sewage ponds that accumulate at times in

the river bottom. The water is ''heavily laden'' with mosquito larvae, says Larry Aker, assistant deputy director of the county's Environmental Health Services.

Some of the sewage settles out of the water as it makes its way through a maze of small channels that thread the estuary en route to the ocean.

''We are essentially killing off that estuary,'' Aker said.

A walk south from Imperial Beach along the beach at the edge of the estuary can be deceiving.

Ocean waves wash gently upon the sandy beach. A flock of seagulls with a lone brown pelican among them rest on a sandbar near the river mouth. To the south, two riders trot their horses along the beach.

The water flowing from the estuary outlet to the sea appears fairly clear, diluted by incoming tides.

But a quarter-mile inland from the beach, the scene is much different. In places, the water is like a pea-green soup, full of algae, said Chris Nordby, manager of the Pacific Estuarine Research Laboratory at San Diego State University.

It is also an area where there are no pollution sampling stations, ''because when I went in there to set up my samples, there just were no animals. There's absolutely nothing there,'' Nordby said.

Evidence of the extreme environmental damage to the estuary is contained in a just-completed study funded by the National Oceanic and Atmospheric Administration, which found significant depletions in some fish and shellfish species, such as clams. The study is based on water-quality testing and sampling of fish and shellfish from 1986 through March of 1989.

One small game fish known as Tops Smelt, which formerly accounted for 52 percent of the fish in the estuary, has fallen to about 5 percent, said Nordby, a biologist and principal researcher for the pollution study.

The California jacknife clam, which in years past accounted for 70 percent to 86 percent of the clam population, ''is now down to about 27 percent,'' Nordby said.

Another shellfish, the purple clam, is virtually extinct there.

''People used to clam here in the 1970s and take their limit, but not anymore,'' said Nordby, who has been studying the estuary since 1978.

Small sand dollars, once abundant, are rarely found these days, he said.

''Every now and then you'll find a small tiny one, but they don't survive like they used to,'' he said. The harm is caused by the year-round influx of polluted fresh water, which dilutes the salinity of the estuary, Nordby explained.

When that happens, marine organism are killed or escape from the estuary.

In addition to marine organisms, the estuary is home to dozens of bird species, including the endangered least tern and the light-footed clapper rail. The effects of the sewage pollution on bird life have not been documented, but Nordby and others believe there is potential for harm.

They note that a decline in the marine life on which birds feed will eventually reduce the bird populations.

Paul Jorgensen, manager of the Tijuana River National Estuarine Reserve, said extensive studies are needed to confirm the effects on birds. But he added, ''If the shellfish, crabs and fish are affected, then the birds probably are affected.''

Nordby and others worried about the wetlands are pinning their hopes for its recovery on construction of a binational sewage treatment plant that has been proposed for the border to treat sewage from Tijuana. The treated effluent would be discharged directly into the ocean through a big pipe.

But the binational plant is still a long way from being approved. Mexico and U.S. officials have made only preliminary commitments. Negotiations on a detailed agreement between the two countries are under way by the Mexican and U.S. commissioners of the International Boundary and Water Commission in El Paso, Texas.

Narendra N. Gunaji, head of the U.S. section of the international boundary commission, predicted earlier this year that the new plant could be in operation by 1993. That estimate, however, was tied to a firm commitment from Mexico that it would participate in the plant and on funding from both countries.

Without such a plant, the pollution woes of the Tijuana River Valley will only grow as Tijuana keeps growing, officials say.

''I think the federal, state and local governments have a responsibility to the people in the area to make sure that dream becomes a reality,'' said County Supervisor Brian Bilbray, a former Imperial Beach councilman and mayor who has spent his entire political career trying to resolve the Tijuana River Valley's troubles.

''The sewage problem has become bad enough that the Federal Government can't ignore it anymore,'' he said, ''We're going to find answers . . . because you just can't allow problems like that to exist.''

In addition to the border sewage plant, Bilbray said, development of the long-sought Tijuana River Valley Regional Park will help transform the river valley.

The county park will encompass 2,200 acres along both sides of the river, extending from the ocean eastward to San Ysidro. It has received $10 million in state park bond funds and two weeks ago was given another $1.5 million by the Tia Juana Valley County Water District, which apparently is about to shut down after a half-century in existence.

Bilbray has been critical of the Border Patrol and state and federal park and wildlife managers for past practices that he says have focused more on wildlife protection and keeping people out of the area.

He also criticized the Border Patrol for its ''scorched earth'' practice of clearing underbrush from large areas of the river channel to help them patrol the region.

''If you and I did that, we'd go to jail,'' Bilbray said.

As for development of the regional park, he said he believes that wildlife preservation and recreation in the river valley can be compatible ''if you do it right.''

Bilbray envisions miles of trails, small fishing lakes, campgrounds and other amenities.

''I'm real optimistic that we're seeing a lot of movement we haven't seen in 20 years,'' he said of efforts to solve the river valley's problems.

[From The Tribune, Jan. 26, 1990]

3 OFFICIALS HERE PLEDGE TO FIGHT SEWAGE PROJECT

(By Kathryn Balint)

Meeting the news media in the sewage-polluted Tijuana River Valley, two San Diego city councilmen and a county supervisor vowed yesterday to fight to save local sewer users at least $1 billion on a massive project they say would harm the environment.

''This is a fight we still can win,'' said Councilman Bruce Henderson.

Henderson, Councilman Bob Filner and Supervisor Brian Bilbray called a news conference yesterday to make it clear that their battle against San Diego city government's nearly $3 billion upgrade in sewage treatment is continuing.

In a closed-door session this week, the city council agreed in a 7–2 vote on a settlement of the federal government's lawsuit accusing the city of discharging inadequately treated sewage into the ocean. The vote, which was taken secretly because by law the council is allowed to discuss litigation in private, will end a two-year legal dispute between the city and the U.S. Environmental Protection Agency.

Henderson and Filner coast the dissenting votes.

Bilbray, Henderson and Filner said the city should not have caved in to the federal government by agreement to build the multibillion-dollar sewage facilities by Dec. 31, 2003. The agreement will be made public Tuesday in the U.S. District Court of Judge Rudi M. Brewster.

''That's disgraceful that we should make such a deal as this,'' Filner said. He called the planned sewage project ''a boondoggie'' that will be bad for the environment and for residents' pocketbooks. For the 1.6 million people who use the sewer system, sewer rates are expected to go up dramatically.

As they have in the past, Henderson, Filner and Bilbray based their comments on the opinions of noted marine scientists from the Scripps Institution of Oceanography in La Jolla.

The scientists, including Roger Revelle, director emeritus of the institution, and Edward Goldberg, a chemist known internationally for his work in fighting ocean pollution, contend that the nutrients in the waste water now disposed of in the ocean pose no hazard to sea life. In fact, they say, the lowest forms of life in the ocean feed on the nutrients in the sewage, which is treated to a step just below the federal standards.

The three politicians said they chose the Tijuana River Valley to illustrate their point that a sewage-treatment plant there, near a national estuary, where endangered birds and plants live, would hurt the environment. Anther reason they chose to meet near Border Field State Park in the river valley was to point out the raw sewage flowing daily from Mexico into the United States.

Bilbray said the EPA should be focusing its attention on cleaning up the raw sewage there rather than trying to force San Diegans to spend their money on a project that is unnecessary.

Bilbray also said that the city should be worrying about ''keeping the sewage in the pipes,'' referring to repeated spills of raw sewage from sewer pipes before it even reaches the Point Loma Wastewater Treatment Plant. The raw sewage has fouled both Mission Bay and San Diego Bay. One of the provisions of the settlements agreement is aimed at trying to prevent such spills.

The three politicians said they will lobby for changes in the Clean Water Act. The act sets a uniform sewage-treatment standard—called secondary sewage treatment—for all cities in the nation.

[The San Diego Union, Jan. 26, 1990]

SEWER PROJECT FOES MEET

Three local officials traveled to a proposed South Bay sewage-treatment plant site yesterday to continue their campaign to overturn what they called the city's ''bureaucratic boondoogle'' decision for a $2.86 billion sewage system upgrade.

San Diego City Councilman Bob Filner and County Supervisor Brian Bilbray, whose districts include the Tijuana estuary site proposed for the plant, were joined by San Diego City Councilman Bruce Henderson, an early critic of the massive sewage-system overhaul.

''This is a fight that we can still win,'' Henderson said at the site, just north of the entrance to Border Field State Park, on the coast between the international boundary and southern Imperial Beach city limits.

The three argued that the sewage-system upgrade would harm rather than help the environment. They called for more detailed scientific studies on the impacts to the Tijuana River estuary and ocean floor where the treated sewage would be discharged.

They want to begin efforts for a new waiver of federal orders for the more advanced treatment system, have congressional hearings to try to amend the requirements of the U.S. Clean Water Act, or mount a court challenge to the federal and state lawsuit filed to force the city into federal compliance.

[The San Diego Union, Tues., Nov. 13, 1990]

BILBRAY DIVERTS SMELLY RIVER WITH BULLDOZER; MAY HAVE VIOLATED LAW

(By Graciela Sevilla, Staff Writer)

San Ysidro—Sitting at the controls of a bulldozer, county Supervisor Brian Bilbray yesterday redirected the course of the sewage-infested Tijuana River—possibly violating a federal law.

Bilbray said he was fulfilling a promise to area residents to ease the stench and hazard posed by the blocked river, which had become a mosquito breeding ground.

Previously, the river flowed into a wall of willows that caused the water to back up and flood, surrounding farm and commercial properties, Bilbray said.

''When the water backs up and kills the willows, it creates a massive health problem for surrounding communities,'' he said.

By rechanneling the river to what he believes was its original course, Bilbray estimated that he helped reduce the area previously covered by sewage by as much as 30 percent.

The water now flows into Lake Tijuana, also known as Shelton Pond, which lies in the midst of the Nelson & Sloan concrete company's sand-mining operation just north of the Mexican border.

The river and land immediately banking on it are federal property, under the control of the International Boundary and Water Commission (IBWC).

According to Dion McMicheaux, a local project manager for the commission, Bilbray's action may be in violation of federal law that requires a permit from the Army Corps of Engineers when diverting federal waters.

However, Bilbray said he decided to take matters into his own hands out of frustration after working for two years to secure a permit to no avail. ''They can blame me if they find any fault involved in it,'' Bilbray said.

The supervisor asserted that he had the backing of local environmentalists and the County Health Department; although he said he acted on his own.

Legal or not, Bilbray's earthmoving was applauded by several nearby residents who said they could no longer tolerate the sewage, mosquito and health problems caused by the blocked river.

Ruben Marshall, owner of a vegetable farm located adjacent to the polluted river, said: ''The IBWC, in my estimation, has been very lax in addressing the problems of this area.''

Rosemary Nolan, a resident of Nestor who helped found the group Citizens Revolting Against Pollution, said she was grateful for Bilbray's intervention.

Nolan said her family and neighbors had suffered headaches, nausea, heartburn and other ills as a result of living near the contaminated river. ''I don't know which is worse, the mosquitoes or the smell,'' she said.

Last September, some 100 area residents gathered in Nolan's living room, where they started the group and aired their complaints before Bilbray.

''He told us that if the bureaucracy didn't do anything by October, then he'd get on a bulldozer and do something about it himself,'' she said.

Bilbray said he secured a dozer and began putting his words into action over the weekend. He refused to say where he obtained the bulldozer or whether he paid for it.

As a public official, Bilbray has gotten on the business end of a bulldozer once before in an attempt to do battle with Tijuana River sewage.

In June 1980, during his tenure as mayor of Imperial Beach, Bilbray drove an earthmover to create a dirt dam to stop river sewage from contaminating and closing his seaside community's beach.

Yesterday, Imperial Beach City Councilman Bud Harbin was also on hand to support Bilbray's latest effort.

''Every time our beach is quarantined because of pollution . . . this is where it comes from,'' said Harbin, standing near the edge of the thick, black waters. ''If this is deterred, it's going to help us down there. It's definitely a plus for the people here and the people of IB.''

[The San Diego Union, Feb. 16, 1991]

WARDENS QUIZ BILBRAY ON BULLDOZING OF DIKE

(By Frank Klimko)

County Supervisor Brain Bilbray was read his rights and questioned in his office yesterday by a pair of state game wardens who are investigating his bulldozing last year of an earthen dike along the Tijuana River channel.

In another development, the U.S. Army Corps of Engineers recently notified Bilbray they had finished their investigation of the Nov. 12 incident and asked him to consult with them before he takes any similar action in the future.

In a Feb. 1 letter to Bilbray, Corps officials said he violated environmental laws by not obtaining the necessary permits before bulldozing the dike. However, no penalties were being sought, the letter said.

Bilbray, atop a bulldozer last year, redirected the course of the sewage-infested Tijuana River, fulfilling a promise he made to area residents to ease the stench and hazard posed by the blocked waterway.

The game wardens visited his office yesterday, tape-recorded their meting after reading him his Miranda Rights, and then left, Bilbray said. Such a declaration of rights is normally given to criminal suspects just before they are arrested.

They told Bilbray they were investigating whether he violated any state fish and game laws and their findings would be turned over to the district attorney. It could not be determined what statutes Bilbray may be suspected of violating.

''I told them I would talk with them,'' Bilbray said. ''It does rattle me when someone does read me the Miranda Rights. I don't have anything to hide here, and I told them the facts.''

Bilbray said he bulldozed a dam that had been illegally erected, blocking the river. Two other such dikes are still in place near the same area, he said.

The river, which had become a breeding ground for mosquitoes, previously flowed into a wall of willows that caused the water to back up and flood, surrounding farm and commercial properties, he said.

By rechanneling the river to what he said was its original course, Bilbray estimated that he helped reduce the area previously covered by sewage by as much as 30 percent.

''The biggest problem that existed was because of the blockage, and my action was to remove an illegal structure that was constituting a health threat,'' Bilbray said.

The water now flows into Lake Tijuana, also known as Shelton Pond.

[The San Diego Union Jan. 1, 1991]

EMERGENCY SOUGHT ON POLLUTION—BILBRAY SEEKS FAST ACTION ON CLEANUP OF TIJUANA RIVER VALLEY

(By Graciela Sevilla)

The County Board of Supervisors will consider declaring a state of emergency next Tuesday to allow for the cleanup of the sewage-infested Tijuana River Valley.

Supervisor Brian Bilbray is recommending that the county join forces with Assemblyman Steve Peace, D–Chula Vista, to request that the governor issue an emergency proclamation releasing state funds and placing the cleanup on a fast track.

A declaration of emergency would override state regulations that have prevented the removal of the underbrush that causes the polluted waters to stagnate in the valley.

''The action really should be taken now to avoid the situation becoming a chronic problem in the summer,'' Bilbray said.

Area residents complain that the stench and mosquito swarms become intolerable during warm weather. The estimated 13 million gallons of contaminated water flowing daily from Mexico also poses grave health threats.

''Without significant preventive control measures, serious outbreaks of encephalitis and malaria will occur in this area,'' J. William Cox, director of the county Health Department, wrote last year.

Although local health officials have called the sewage-infestation ''a disaster waiting to happen,'' the county health officer cannot declare a public health emergency until someone becomes sick from exposure to the waste.

Timing is crucial because the river valley is home to several endangered species of birds that nest and migrate in the area during the spring and summer.

''If we wait, it becomes a choice between endangered species and public health,'' Bilbray said.

The county has yet to determine how much time or money it will take to clear out the dense underbrush. According to Peace, the Regional Water Quality Control Board has indicated a willingness to fund the project if the emergency is declared.

For his part, Bilbray is optimistic that San Diego will fare well with its bid for help from Sacramento once former San Diego Mayor Pete Wilson is inaugurated as governor.

''We have one big advantage in that the guy filling that office this month has got a very good background on this,'' Bilbray said.

[The San Diego Union, Fri., Jan. 4, 1991]

EMERGENCY DECREE MIGHT UNLOCK HELP FOR TIJUANA SEWAGE PROBLEM

(By Graciela Sevilla)

While county supervisors are poised to declare a state of emergency on the contaminated Tijuana River next week, just what would follow such an unprecedented action is being heavily debated.

County, state and federal officials are at loggerheads over who is to blame for the delay in attacking the chronic mosquito problem that a health official has called a ''disaster waiting to happen.''

''I think something should be done before you have sick people,'' said County Health Officer Donald Ramras. ''Sooner or later, if something isn't done we're going to have encephalitis or malaria down there transmitted by mosquitoes.''

About 13 million gallons of sewage a day flows from the eastern hills of Tijuana into the Tijuana River Valley. For years, the

South Bay residents have complained that the stench and mosquito swarms become intolerable during warm weather.

In recent months, the residents formed a group called Citizens Revolting Against Pollution to demand action from public officials.

Representatives from all involved agencies agree action is needed to solve the serious health threat to the estimated 400 families who live beside the sewage-plagued waters, but say there are significant hurdles to clear even if an emergency is declared.

First, a declaration of emergency is needed to release state funds to finance the clearing of the heavy vegetation that causes water to stagnate, enabling mosquitoes to breed.

At the urging of Assemblyman Steve Peace, D-Chula Vista, county Supervisor Brian Bilbray will ask his colleagues Tuesday to declare a state of emergency and to seek a similar declaration from the governor.

Until recently, the supervisors believed Ramras was the only county official with the authority to declare a public health emergency, something Ramras said he cannot legally do in this case.

A situation that has the potential for making people ill is not enough, he explained. ''Basically you've go to show that no only you have mosquitoes there but that they've actually given someone encephalitis.''

But Peace insists that Ramras can declare an emergency under state code, but has resisted doing so. ''It's been an emerging reality on my part that somewhere there's been a reluctance to work on the problem,'' Peace said.

Unsatisifed with Ramras' posture, Peace asked attorneys for the state Legislature to search for a way around the impasse. In November, he was informed that the California Emergency Services Act allows boards of supervisors to declare a local emergency.

If that's done, Peace said funds would be made available by the State Water Resources Control Board for removing the underbrush clogging the river and hampering its flow. A spokeswoman for the agency said the board would first have to vote to spend the money.

According to Peace, a governor's proclamation would suspend state statutes and state agency regulations that have hindered work efforts. However, federal agencies might still invoke environmental concerns to limit the project.

Depending on the scope of the proposal, which has yet to be defined, the project could require a permit from the Army Corps of Engineers, which must authorize any project that involves filling of wetlands.

The U.S. Fish and Wildlife Service would also evaluate the project to determine if it would irreparably harm the environmentally important area.

''Several state and federally listed endangered species inhabit the river valley,'' said Martin Kinney, a Fish and Wildlife biologist.

Streamside vegetation along the Tijuana River provides one of the rarest wildlife habitats in the state, Kenney said. In San Diego County, about two-thirds of such streamside areas were destroyed between 1970 and 1987, he said.

Thus far, Kenney said the county has not presented a proposal for removing brush. ''There's been constant talk about doing things, but no one wants to put anything on paper,'' he said.

''We get real defensive if they say there's an emergency when county health and everyone has known about this for a long time,'' the biologist said. ''Why do you wait till January 1991 and suddenly say there's an emergency when you've known about this for years?''

Despite the agency's concerns, Kenney said, joint planning of such a project could make the work possible while preventing serious harm to the environment. ''We're not trying to say no to everything.''

Last year, cattail plants were cleared by hand from a river valley pond after the agency revised health department plans to burn all the vegetation in the area, Kenney said.

Peace is quick to caution that even if the underbrush is removed, that will not permanently solve the problems of the contaminated river area.

''There are no cheap solutions,'' Peace said. ''The ultimate solution,'' in his estimation, will be the building of a new $195 million sewage treatment plant, still several years off.

In the interim, the International Boundary and Water Commission is working with the governments of the U.S. and Mexico to construct a pipeline that will divert errant Tijuana sewage into Sand Diego's sewer system for treatment.

That project, now being planned and built in Mexico, is due to be ready in February, according to José Valdez, the project's principal engineer.

[From the San Diego Tribune, June 4, 1991]

COUNTY MAY ACT TO EASE EFFECTS OF MEXICO SEWAGE

(By Ruth L. McKinnie)

A permanent solution to the Mexican sewage problem in the Tijuana River Valley may be years away, but a reduction in mosquito infestation and foul odor may be in sight.

County Supervisor Brian Bilbray and state Assemblyman Steve Peace, D-Rancho San Diego, are optimistic the county can use emergency powers to clear dense vegetation that causes sewage stagnation in the border-area valley.

The county Board of Supervisors will consider calling a local emergency when it meets Tuesday afternoon.

An estimated 13 million gallons of sewage flows daily through the valley, but a complex series of state and federal restrictions intended to protect the environment prevent the county from tearing out willows and cattails that dam the flow and further damage the environment.

The brush is habitat for several endangered birds, including the least Bell's vireo and least tern.

A local emergency declaration would clear the way for Gov.-elect Pete Wilson to call a state-level emergency and suspend the environmental strictures, Bilbray said.

Bilbray and Peace said Wilson, who is familiar with the sewage problem from his years as mayor of San Diego, would likely sign an emergency proclamation.

In the meantime, disease-carrying mosquitoes known to bear encephalitis, malaria and hepatitis continue to plague residents of Nestor and other parts of the valley.

And the wildlife and vegetation that the environmental laws are supposed to protect are being destroyed, Peace said.

''If you continue to do nothing, we're going to have a hot crisis,'' he said.

Bilbray said the county cannot afford to wait months to secure clearing permits. The removal must be done now, before the birds return form their winter migration.

[From the San Diego Union, Jan. 9, 1991]

COUNTY TO ASK WILSON'S HELP ON TIJUANA SEWAGE

(By Graciela Sevilla)

The county Board of Supervisors will look to the new governor for help in abating the ''extreme peril'' posed by the contamination of the Tijuana River Valley with raw sewage from Mexico.

In a unanimous vote yesterday, the board declared a state of emergency to exist in the South San Diego area, which is flooded with an estimated 13 million gallons in raw waste daily from across the border.

The declaration will be forwarded to Gov. Wilson with a request that he issue a similar proclamation and seek a presidential declaration of emergency.

Supervisor Brian Bilbray said he offered the resolution in response to pleas for relief from some of the area's 400 residents who have lived with a terrible stench and mosquito swarms as a result of the polluted waters.

''It's been reaching a crisis level in the last few years,'' Bilbray said.

Valley resident Rosemary Nolan, praising the action, said: ''We hope that by declaring an emergency we can start on the road to recovery for the South Bay community.''

Last week, County Health Officer Donald Ramras characterized the problem as ''a disaster waiting to happen'' and warned that residents were at risk of being infected with malaria and encephalitis by mosquitoes.

Following the vote yesterday, Bilbray said he is optimistic about winning Wilson's support because of the former mayor's familiarity with the situation.

''I have worked with Pete Wilson on this program since 1979,'' Bilbray said. A gubernatorial declaration would release needed state funds and suspend state regulations that have stymied plans to remove the heavy underbrush that causes the contaminated waters to stagnate.

The state water board has approximately $3.5 million in its cleanup abatement fund, some of which could be spent on the Tijuana River Valley, according to a spokeswoman for Assembly Steve Peace, D–Chula Vista.

A letter petitioning Wilson will be mailed by the end of the week, Bilbray said, adding, ''We could expect an answer by the end of the month.''

Thus far, the cost of the weed removal has not been calculated, nor has a decision been reached on which agency would be responsible for the work.

In lobbying for the declaration, Bilbray cautioned the audience not to look at the proposed cleanup as a final solution. ''This will not cure the problem, but it is one more thing we can do here at the country,'' Bilbray said.

At the federal level, agreement has been reached between the governments of Mexico and the United States to build a new $195 million sewage treatment plant. That facility is not expected to be in operation until 1995.

In the interim, the International Boundary and Water Commission is working on a binational plan to construct a pipeline to intercept the errant Tijuana sewage and transfer it into the San Diego sewer system for treatment.

[From the Star News, Jan. 9, 1991]

BILBRAY SAYS STATE OF EMERGENCY NEEDED TO DEAL WITH RAW SEWAGE

Supervisor Brian Bilbray wants the governor to declare a local state of emergency to deal with raw sewage in the Tijuana River Valley, his office recently announced.

Bilbray is trying to convince the County Board of Supervisors to ask the governor to declare the emergency suspending certain laws, and regulations in the emergency area.

Suspended along with those laws would be ''presumably, those which prohibit or delay the removal of dense underbrush in the valley,'' Bilbray said in a letter to fellow supervisors. That underbrush hinders efforts to control mosquitoes that pose not only an annoyance but also a health hazard because they carry encephalitis and malaria.

Bilbray is seeking action this winter to control the mosquitoes breeding in the

spring and summer and to protect environmentally sensitive conditions in the valley.

[From the San Diego Tribune, Jan. 9, 1991]

HEALTH CRISIS DECLARED OVER SOUTH BAY SEWAGE

(By Ruth L. McKinnie)

Optimistic county officials say they hope that relief from pesky mosquitoes and foul odors in the sewage-plagued Tijuana River Valley is a month away.

The Board of Supervisors yesterday unanimously proclaimed a local health emergency in the border-area valley in hopes of getting emergency powers from the state to immediately clear away dense vegetation that causes sewage stagnation.

Supervisor Brian Bilbray, who represents the South Bay, said that this week the county would ask Gov. Wilson to call a state-level emergency and suspend environmental restrictions preventing the county from tearing out willows and cattails that dam the sewage flow.

An estimated 13 million gallons of Mexican sewage flows daily through the valley. Residents have long complained about the problem, but a permanent solution is years away.

Last summer, the mosquito infestation became so acute that residents could not go outside without being attacked by the insects, which can transmit encephalitis, malaria and hepatitis.

''It is reaching a crisis level,'' Bilbray said.

The supervisor and Assemblyman Steve Peace, D–Rancho San Diego, who have been pushing for emergency measures, say money is available from the state Regional Water Quality Control Board to pay cleanup costs.

The county, Bilbray said, cannot wait months to get permits to clear away the plants. He said the removal must begin soon, before endangered birds that nest in the valley return from their winter migration.

WILSON MAY DECLARE CRISIS IN SOUTH BAY

(By Ron Roach)

SACRAMENTO—The state Assembly yesterday voted to urge Gov. Wilson to declare a state of emergency in the Tijuana River Valley to eradicate mosquitoes and deal with sewage-polluted water.

A spokesman said Wilson, who is a former San Diego mayor, is considering the request.

Minutes before Wilson's State of the State address to the Legislature yesterday afternoon, Assemblyman Steve Peace, D–Rancho San Diego, and Assemblywoman Dede Alpert, D–Del Mar, won approval of the Assembly resolution, which follows Tuesday's San Diego County supervisors' declaration of a local health emergency in the border-area valley.

Peace represents the border area and Alpert's coastal district includes Imperial Beach.

Peace said he discussed the resolution with Bob White, Wilson's chief of staff, and ''was very encouraged by his response. he said it would be great to start off with something for San Diego'' in the first week of Wilson's administration.

James Lee, Wilson's deputy press secretary, said Wilson would ''take a look'' at the problem but said ''there was no positive go-ahead signal.''

A state declaration would make funds available from the state Regional Water Quality Control Board to bulldoze a buffer area, kill mosquitoes and clear away dense willows and cattails that cause sewage-polluted water to pool in the riverbed, Peace said.

It is important, said Peace, that work start while the weather is cool, before the insects can multiply. Otherwise, there could be threats of malaria, encephalitis and hepatitis, he said.

Peace said he and Supervisor Brian Bilbray and pushed the county to act for almost a year. Normally, a county's board of supervisors must make an official request documenting the problem before a governor makes a disaster or emergency declaration.

[From the Los Angeles Times, Jan. 1991]

TIJUANA RIVER VALLEY MAY GET EMERGENCY STATUS ON SEWAGE

(By Bernice Hirabayashi)

Gov. Pete Wilson was considering Thursday whether to declare a state of emergency for the sewage-plagued Tijuana River Valley in south San Diego County, state officials said.

The declaration would make state funds available to clean up the border valley, through which 13 million gallons of raw sewage from Mexico flow daily. It would also speed the permit process that would allow removal of cattails and willows restricting the flow of sewage to the ocean.

Assemblyman Steve Peace (D–Rancho San Diego) released a statement saying he spoke with Bob White, Wilson's chief of staff, Wednesday morning and ''was very encouraged by his response.''

The Assembly threw its support behind the cleanup effort Wednesday by passing a house resolution urging Wilson to call a state of emergency for the area.

The action was the first to be taken by the Legislature this year, and came a day after the County Board of Supervisors declared a local emergency for the area, prompted by concerns that the summer would bring a repeat of last year's unusually large swarms of mosquitoes, which thrive in stagnant pools of sewage in the valley. The mosquitoes from the foul-smelling sewage can transmit encephalitis, malaria and hepatitis to humans.

Money for the cleanup is available from the state Regional Water Quality Control Board, said David Takashima, Peace's chief of staff. The governor's discretionary funds, set aside for economic uncertainty, could also be used for an emergency cleanup.

The county hopes to construct a channel that would keep the sewage moving out to sea instead of forming stagnant pools, said John Woodard, chief of staff for county Supervisor Brian Bilbray, who represents the area and has been pushing for emergency status along with Peace for a year.

A bird on the federal endangered species list, the least, Bell's vireo, nests in several of the valley's marshes between fall and spring, so any work done in the valley requires permission from the U.S. Fish and Wildlife Service and should be kept to the winter months, Woodward said.

[From the Tribune, Mar. 5, 1991]

ILLEGALS CROSS SEWAGE RIVER—AND FEDS IGNORE BOTH PROBLEMS

In a near-disaster filled with symbolism and irony for San Diego, a group of undocumented immigrants crossing the border illegally got caught in the sewage-laden floodwaters of the Tijuana River during last week's storm.

Two floods met—a flood of immigrants and the flood of sewage. Fortunately, San Diego firefighters and lifeguards rescued the stranded immigrants.

San Diego did its job even though both issues are federal responsibility. But because there is little interest or understanding in Washington, D.C., about the nation's southwestern border, San Diego is left alone to try to cope.

The federal government has agreed to help build a sewage plant in the Tijuana River Valley to help clean up that fetid estuary fed by millions of gallons of raw sewage every day. But the plant won't be ready for at least five or six years. Until then, the feds have no plans to help clean up the sewage, which could breed encephalitis-carrying mosquitoes.

The county Board of Supervisors has asked Gov. Wilson for emergency funds to clean up the Tijuana River, but there has been no response from Sacramento.

As for illegal immigration, inaction by the federal government has kept pace with the rising migration from Mexico. Congress passed an immigration reform package last year, and everyone in Washington cheered. Unfortunately, the bill did absolutely nothing to solve the anarchy on our border.

The county and city get no federal or state money to help pay for the burden of illegal immigration. And we've received only a pittance to defray costs of services for hundreds of thousands of legal immigrants here who received amnesty under the 1986 Immigration Reform Act.

San Diego is simply stuck with two serious problems not of our making and far beyond our limited resources to handle. Is anyone out there listening?

[From the San Diego Union, Mar. 15, 1991]

STATE TO PAY TO TREAT TJ SEWAGE

(By Daniel C. Carson and Graciela Sevilla)

Sacramento—Gov. Wilson today will announce he has signed a declaration of emergency for San Diego County and is taking other actions to help the border region cope with raw sewage contaminating the Tijuana River, sources say.

Wilson will be directing the state Water Resources Control Board to release $860,000 to pay the first-year cost of treating the Tijuana River sewage at San Diego's Point Loma sewage plant, sources say.

This sets an important precedent, because the cost of treating border on sewer-system ratepayers in the city of San Diego, sources say.

Wilson's moves come in response to a resolution passed unanimously by the San Diego County Board of Supervisors on Jan. 8 requesting the emergency decree and financial assistance in stemming the sewage flows from Mexico.

In winter months, an estimated 13 million gallons in raw waste from the eastern hills of Tijuana pours into the river each day.

The U.S. and Mexican governments, in cooperation with the city of San Diego and the state, are building a new $195 million sewage treatment plant in the South Bay that would capture and clean up the sewage flows. However, that plant is not expected to begin operation before 1995.

In the interim, the U.S. International Boundary and Water Commission is working on a plan to construct a pipeline to intercept the flows and transfer them to the Point Loma plant for treatment.

The gubernatorial proclamation of a state of emergency finds that ''conditions of extreme peril to the safety of persons and property exist within the county of San Diego.''

Word of the decree cheered Ruben D. Marshall, a farmer who has worked the land near the river for 15 years.

''We've been through so much hell down here. It has just been one nightmare,'' Marshall said.

County Supervisor Brian Bilbray, who as mayor of Imperial Beach during the 1970s worked on the Tijuana sewage problem with Wilson—then San Diego's mayor, said Wilson's actions signal a new state commitment to solving a long-standing public health threat.

[From the San Diego Tribune, Mar. 15, 1991]

WILSON DECLARES SEWAGE EMERGENCY

(By Ron Roach)

Responding to the environmental crisis posed by sewage flowing north from Tijuana,

Gov. Wilson today declared a state of emergency in San Diego County and urged a state board to provide $860,000 to help clean up the mess.

''The raw sewage flowing across the border creates an extreme peril to people living and working in the area of the Tijuana River estuary,'' said Wilson, who also called for help from federal agencies.

The Republican governor, a former mayor of San Diego and former U.S. senator from California, was scheduled to discuss his action at a news conference today at Imperial Beach City Hall.

The San Diego County Board of Supervisors voted Jan. 10 to declare the county a disaster area and seek a state declaration of emergency.

The United States and Mexico have agreed to build a treatment plant north of the border to deal with the daily problem of millions of gallons of Tijuana sewage, but the plant will not be completed until 1995.

San Diego city government has agreed to divert the sewage to its Point Loma plant, Wilson said, because of the need to move quickly and resolve a public health threat caused by an estimated 13 million gallons of sewage daily. The diversion project, costing $860,000 a year, is expected to start in April, the governor said.

In a letter to Don Maughan, chairman of the State Water Resources Control Board, the governor urged the board to, at its March 21 meeting, approve $860,000 from the state Cleanup and Abatement Fund as first-year costs of sewage treatment. Although it is a state agency, the board is independent from the governor's authority.

Wilson also wrote to U.S. Secretary of State James Baker, seeking help with his request that the International Boundary and Water Commission provide treatment funds for the city for the interim years, 1992 to 1995, or until the international facility is operating.

Writing to Baker, Wilson said: ''The City of San Diego is unable nor should it be expected to bear these costs. Commission or federal government funds should be provided to San Diego to cover costs for interim treatment after the first year.''

The governor wrote a third letter, to U.S. Interior Secretary Manuel Lujan, urging Lujan to direct the U.S. Fish and Wildlife Service to help San Diego County divert sewage flows by clearing brush along the Tijuana River to allow for more effective use of insecticide to kill mosquitoes.

Wilson said diverting sewage will reduce dry weather flows in the channel, but mosquito problems will remain during wet weather and possibly in standing pools at various times.

''To fully alleviate the mosquito and sewage problems, the city and county of San Diego believe it will be necessary to perform minor channeling and brush clearing in specific areas,'' Wilson told Lujan.

While there is a government duty to protect the nation's wetlands, Wilson said in the letter to Lujan:

''We must not lose sight of the fact . . . that the wetlands in question exist today because of raw-sewage flows. Even raising the question of mitigations and offsets in this case—as has been done by Fish and Wildlife Service—goes well beyond the concept of sound environmental management. Our focus clearly must be on protecting the public's health and safety, by removing their exposure to raw sewage and the attendant mosquito problem it has created.''

[From the San Diego Union, Mar. 16, 1991]

BORDER BREATHES SIGH OF RELIEF AS WILSON ACTS ON TIJUANA SEWAGE

(By Dwight C. Daniels)

Imperial Beach—Jeanie Gomez breathed a sign of relief yesterday as Gov. Wilson announced his move to combat the 13 million gallons of Mexican sewage that flow daily into the dank and brackish Tijuana River estuary near here.

Wilson's declaration of a state of emergency will serve as a tool to get around international entanglements and federal and state regulations to solve the effluent problem.

The governor's action directs the Water Resources Control Board to release $860,000 to finance first-year costs of treating the diverted effluent at the Point Loma sewage-treatment plant.

''We've got people who have been unable to act, it seems, because they were restrained by regulations and even by law,'' the governor said, calling the raw sewage ''an extreme peril to people living and working in the area.''

He said he also sent a letter to Interior Secretary Manual Lujan to ask for his intervention with U.S. Fish and Game authorities to ''allow early action by the county . . . to deal with this problem.''

The governor's action was good news to Gomez and the families who live in more than 400 homes that border the estuary, which Wilson toured before his midmorning news conference. The sewage has long caused county health officials to voice concerns about possible water-borne diseases.

State and local officials echoed that relief after the announcement, with county Supervisor Brian Bilbray and Assemblyman Steve Peace, D-Chula Vista, leading the chorus.

Bilbray—who repeatedly has risked breaking state laws by using a bulldozer to rechannel or block effluent in the estuary—said the governor ''has the guts to take this issue head-on when others would only talk.''

Peace pointed out that Wilson overruled advice of key staffers to take the move, which is seen as a precedent because the full cost of sewage treatment has previously fallen on San Diego ratepayers.

The actions came after a unanimous vote by county supervisors Jan. 8 requesting an emergency decree and financial assistance.

The governor's actions included a letter to U.S. Secretary of State James A. Baker that urges the State Department to intercede with the International Boundary and Water Commission to fund the remaining years of work to build the $195 million U.S./Mexican sewage-treatment facility set to be completed in 1995.

Rosemary Nolan, president of the Citizens Revolting Against Pollution, a grass-roots coalition long involved in advocating a solution to solve the sewage quandary, stood at Wilson's side as he made the announcement.

CONGRESSMAN BILBRAY'S STATEMENT FOR THE OPENING OF THE SOUTH BAY INTERNATIONAL WASTEWATER TREATMENT PLANT

San Diego, CA—The following is a text of Congressman Brian Bilbray's (R–CA) remarks during the opening ceremony of the South Bay International Wastewater Treatment Plant:

''It gives me great satisfaction to be here to participate in this event today. A great deal of blood, sweat, and tears has been invested in the engineering showpiece we are here to celebrate, and I'm not even talking about the actual construction of the project. All of you who have been and remain closely involved with the implementation of this process, and there are too many to mention by name, know what I'm talking about. You all have earned a great pat on the back, and you're all to be commended for helping to get us this far. It is my great hope that we can continue to set aside what policy differences some of us may have, and focus on the bottom line that we all share—that is putting our money where our mouths are, walking the walk and not just talking the talk, and working together to establish functioning public health strategies that will keep our children healthy and our beaches open.''

''It is a testimony to the magnitude of this project that we have such a strong and diverse alliance here today to mark its opening. Mayor Golding and I have been working on the border pollution problem for longer than either of us care to remember. Bob Filner and I have, with one or two notable exceptions, been able to work together so well on the pollution issue that we've managed to earn the scorn of our more strident and partisan colleagues in *both* parties. And all the dignitaries with us up here today have done so much of the heavy lifting that I will leave the telling of it to them.''

''With EPA, well, most of you know that I've done battle with EPA in the past on other issues. But I've said from day one, when EPA is right, I'll be in their corner; when they aren't, then they'll hear from me. I think EPA, like the other groups and individuals here today who care about the South Bay, has during this process learned the value of soliciting public input, listening to people's concerns, and incorporating them into the final analysis. Without these basic building blocks, without talking to the man and woman on the street, all the finest Agency planning in the world counts for nothing. This goes both ways—those who choose to roll up their sleeves and participate in a constructive manner in the planning and implementation process will earn the credibility of their neighbors and their peers, whether or not they agree 100%. Those who prefer to set up obstacles to progress risk losing their own credibility, if the greater good suffers as a result.''

''And this treatment plant is clearly devoted to serving the public good.''

''And so it goes forward from today—we must be guided both by the people and by the science as it applies to the South Bay. We must all be prepared—President Clinton, his departments and agencies, Congress, and the communities—to move forward with the next step. In order to provide the needed level of protection to the public health, the environment, and our ocean resources, we must especially be led by sound science.''

''I have put my colleagues in the House of Representatives on notice from Day One, and will be working in the months to come to educate them to the threat which this facility, and its future components, will help allay. The Administration is well aware of the lengths to which I'm prepared to go—I will do whatever is necessary to provide the appropriate and required level of treatment at this facility. As it now stands, the Clean Water Act requires certain standards be met to protect the public health, and I expect nothing less than a full commitment to this from the federal government—it has entered into a pact with the people which must be kept.''

''For too long, it was easy to make excuses and hold these border issues at arms length; there were other priorities, other needs, and the border was far away—someone else's problem. Now, we've thrown a rock through the proverbial window, and served out notice that the time for excuses has long passed. We have accomplished a great deal with the official opening of this facility today, but we aren't done yet. I look forward to continued cooperation and productivity in ensuring that we can have another ceremony, not too long from now, to celebrate the fact that this plant is operating at the level it needs to be to protect our communities and our oceans.''

''Thank you.''

Mr. LUTHER. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. FILNER).

Mr. FILNER. Mr. Speaker, I thank the gentleman for yielding this time to me, and I rise reluctantly to oppose this measure this evening. I thank the chairman of the committee for his outline of the situation. He is correct. The situation is as he described, as someone who represents the adjacent district to the gentleman from California (Mr. BILBRAY) and whose district has that sewage flowing through it to Mr. BILBRAY's. And I thank him for his attention to it, and what I heard was his commitment to resolve it.

And when I say reluctantly, I say that to my friend, the gentleman from California (Mr. BILBRAY) because my colleagues should know that there have not been probably two people who have worked more closely or, I think, more effectively to resolve this issue over the last decade than the gentleman from California (Mr. BILBRAY) and myself. He was a county supervisor before he became a Member of Congress. I was a city councilman. Our districts completely interlocked, and we worked hand in hand to address this issue, and we had success. Nobody has made more progress over the last decade than we were able to do working together, working together in local government, working together in the Congress, working together with Mexico.

We have seen the building of the international wastewater treatment plant which, when the out fall is completed by the end of November, we will open and go a long way toward resolving that problem. And that treatment plant was built in San Diego with the cooperation of Mexico and the City of Tijuana and the State of Baja. So the gentleman knows that we have worked hand in hand on these issues.

I agree with the gentleman from California (Mr. BILBRAY) when he says he wants a forum to educate Congress and he wants to raise awareness, and we are doing that, but this is the wrong way to complete that job. It is only a sense of Congress, as the gentleman pointed out. It is not legally binding. So there is not much effect if it does pass.

The language that the gentleman from California (Mr. BILBRAY) uses threatens sanctions with Mexico. It implies that we are going to look at loan guarantees and foreign aid. I will tell the gentleman, though, even if we eliminated the foreign aid, direct foreign assistance to Mexico, tomorrow, it constitutes less than 0.001 percent of our total trade. So I am not sure what effect it has in the real world, except the way Mexico and its officials take it and how they will react in the kinds of discussions that we have participated in for over a decade, and I am sure we will be continuing to participate in in the next decade.

The resolution of the gentleman does nothing to clean up the pollution and the sewage that he so eloquently describes. It is a real problem for the gentleman's constituents, for my constituents. That is why we have worked together to develop infrastructure. That is why NAD Bank recently granted $16 million to develop a parallel sewage conveyance system and to help Tijuana upgrade its sewage treatment plant.

That is why as I have a letter here from the commissioner of the International Boundary and Water Commission, Mr. Bernal, who we both know very well, who is reporting on an agreement on the Mexicali II project that was just executed. Mexicali working with both countries have put in the money for a wastewater system capacity for the city of Mexicali for a pump station and wastewater treatment plant. The U.S. is providing 55 percent; Mexico 45 percent. I think that is the kind of cooperation that we need.

The problem is real. We have heard it. The answer is cooperation, not threats, not sanctions. We have made great progress. The gentleman knows that. The gentleman is one of the chief architects of that cooperation. Let us not put that cooperation in jeopardy.

The administration, the State Department, opposes this bill. The Mexican Government opposes the bill. I would say to the gentleman from California (Mr. BILBRAY) we have correspondence from the embassy and our good friend the consul in San Diego wondering why, after just having attended meetings with him, the gentleman has taken a position which seems to be very hostile. It puts people in a very difficult situation when we try and negotiate agreements all across our border.

So I rise reluctantly because the gentleman and I have worked for so long together on these issues and I look forward to working with the gentleman over the next years on these to solve them but let us work with a cooperative tone and not a tone that threatens sanctions.

Mr. GILMAN. Mr. Speaker, I yield 2 additional minutes to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Speaker, I want to respond to my colleague from California (Mr. FILNER) and point out that on environmental issues we should never threaten, but we should also never be afraid to hold people to standards. We should just be cooperative. Frankly, let us recognize about this, is that we have to date been very cooperative.

The fact is, Mexico City and Washington, D.C. have not been as sensitive to the problem. As my colleague has pointed out, we have built a lot of projects, but the beaches are still polluted.

A $2 million project for a pipeline by itself does not make the beaches any cleaner and does not make the public any safer. Let me point out to my colleague, he may not be aware of the meeting we had this August, but I participated in that meeting. Showing the lack of sensitivity we can get on both sides, we still have 9 million gallons of drinking water pouring into raw sewage, spreading the pollution more onto Mexico's side.

The word I have gotten on this is that the resources and the commitment by Mexico City has been lacking. The frustration of the people in Tijuana is that Mexico City needs to be more aware of this. I appreciate the fact that the gentleman participated in this discussion, because the International Boundary and Water commissioner mentioned by the gentleman from California (Mr. FILNER) has this week delivered this sense of Congress to Mexico City. So hopefully it will tell everybody—let us work together.

Let me point out that my reference to reviewing treaties and existing commitments may not necessarily mean reductions, but may also mean increases in resources under existing relationships. But it does mean that we will look at this substantially.

I challenge my colleagues again to say that outcome does not matter here. All I am saying is, all the treatment plants, all the talk, all the negotiations, all of the relationships are fabulous, but if they do not make the environment safe for the children of Tijuana and San Diego and Imperial Beach, then all we are is a bunch of diplomats and politicians sitting around talking, patting ourselves on the back while our children are exposed to hepatitis, and God knows what else.

Mr. Speaker, I would ask my colleagues to consider that and consider the kids that continue to be exposed. All I am asking is a sense of Congress that says this is important enough for us to review everything and let us talk about it, let us look it over. Let us set the standard that ending pollution is what we care about, not just the building of projects.

The SPEAKER pro tempore (Mr. BLUNT). The gentleman from Minnesota (Mr. LUTHER) has 13½ minutes remaining. The gentleman from New York (Mr. GILMAN) has 5½ minutes remaining.

Mr. LUTHER. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. RODRIGUEZ).

(Mr. RODRIGUEZ asked and was given permission to revise and extend his remarks.)

Mr. RODRIGUEZ. Mr. Speaker, I rise today in opposition to the resolution that is before us. The problems do exist in Tijuana but they also exist along the entire length of the U.S.-Mexican border, including my south Texas district. I represent probably the next largest sector next to one additional Congressman in Texas. I want my colleagues to know that I have problems also with potable water. I have problems with sewage. I have problems with Third World conditions and I am not talking about Mexico; I am talking about the United States.

We also have an obligation to make sure that our cities have appropriate sewage plants, and we do not.

□ 2215

We are having a serious problem. I recognize that the efforts that are being made, and hopefully this will be an opportunity to bring to light what occurs in the area. But if anyone has received most of the NAD Bank money it has been Tijuana and not south Texas where we are suffering also for some of those same conditions.

At this time is not the time to start pointing fingers at Mexico. We need to look at ourselves and what we are also doing to the river, what we are also doing to the environment, and in the way we are also allowing Maquilladoras to go across the border and create part that have pollution.

This resolution is a heavy-handed, counterproductive approach that could set back existing cooperations with Mexico to deal with serious environmental issues along the entire border. I would attest to my colleagues that Mexico is making a sincere effort at moving in some of those areas, just like we are trying to do.

I am frustrated because I recognize that my communities do not have the resources. I need 30 million in 1 little community, and I am talking again about the U.S. I am not talking about Mexico that requires some money for potable water.

So, as I indicated to my colleagues, I do represent constituents on the U.S.-Mexico in south Texas who are facing pressing environmental problems on both sides of the border.

Through the International Boundary Water Commission, the Border Environmental Cooperation Commission, and the NAD Bank, we are working to solve some of these problems. I know it is going to take a long time.

I am hoping that the U.S. provides assistance to those Third World conditions that exist in the United States, and that we should take the initiative, and we should set the example, also, before we start to throwing stones across the river.

The Board of environmental Cooperation Commission has approved 24 environmental projects on both sides of the border with 14 in construction phase and eight pending construction. For every dollar we appropriate to the Board of Environmental Cooperation Commission, Mexico has been matching that. Do we want to jeopardize that ongoing projects? I do not think so.

Sure, three or more problems are delayed with these projects, but the bottom line is this particular resolution will not solve those existing problems that we have there, and we need to begin to work cooperatively as we move forward.

I want to also emphasize that the U.S. Department of State has indicated that they oppose this effort and that this is not the way of going about making things happen. I would ask that, as we move forward, that we look at that infrastructure that needs to be developed.

I would also attest to my colleagues that we have got to be careful when we do that. We are right now at the verge of putting a waste site which is nuclear and right on the Sierra Blanca, right on the border. That has direct impact. Mexico has protested the fact because it violates certain other treaties.

When my colleagues talk about the language on their particular, it does talk about treaties. What are we talking about? Look at all the treaties that we have had with Mexico ever since. Are we going to go back to the treaty of Guadalupe Hidalgo.

I think we need to be realistic about some of these items. I think we need to really look at the problems. But it does give us an opportunity to hold our own government accountable for Third World conditions that exist in the border.

I am hoping that, if nothing else, this issue allows us an opportunity to look at that. But I would also ask my colleagues to vote against this effort. I want to thank the gentleman from Minnesota (Mr. LUTHER) for allowing me this opportunity to say a few words. I ask my colleagues to vote no.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Pennsylvania (Mr. FOX), a member of our committee.

Mr. FOX of Pennsylvania. Mr. Speaker, I appreciate the opportunity to rise in support of H.Con.Res. 331, the legislation introduced by the gentleman from California (Mr. BILBRAY).

Certainly this is the kind of legislation that is positive. It is going to bring forth, hopefully, the kind of environmental improvement that is much needed in California.

The flow of sewage from Tijuana has forced the beach closures. Certainly by bringing this problem to the attention of the Mexican government does not in any way jeopardize our relationship with them. We have a very close relationship with Mexico, working together with them on port access, loan guarantees, foreign aid. We have a very close relationship.

However, we need to work jointly on this problem, and we will, because this just highlights the need of, frankly, the White House, I am sure working with Congress, can take the leadership of the gentleman from California (Mr. BILBRAY) and others, bring up how we need to solve this issue.

The gentleman from Texas (Mr. RODRIGUEZ) raises a very important point about the problems we have in Texas. That does not mean we should not work on the problem with Texas; but this resolution deals with Mexico, and we need to a make sure that we work on this particular resolution now, and we will deal with Texas next. That does not mean we should forsake one for the other.

I frankly feel that the gentleman from California (Mr. BILBRAY) has, for a long time, brought to our attention, Mr. Speaker, the importance of environmental protection, the importance of saving our beaches and making sure the air and water are pure. I have to compliment him on bringing this issue forward and making sure we deal with it in a sensitive matter.

This resolution, frankly, only advances that inquiry, brings us toward a solution, and we should support H. Con. Res. 331 in a bipartisan fashion.

The SPEAKER pro tempore (Mr. BLUNT). The gentleman from Minnesota (Mr. LUTHER) has 9½ minutes remaining. The gentleman from New York (Mr. GILMAN) has 3½ minutes remaining.

Mr. GILMAN. Mr. Speaker, we have the right to close, I believe, in which case, we suggest the gentleman go ahead. We have only one more speaker.

Mr. Speaker, I reserve the balance of my time.

Mr. LUTHER. Mr. Speaker, I yield 6 minutes to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Mr. Speaker, I would like to thank the gentleman for yielding and for being here at this late hour managing this bill along with the chairman and my other colleagues who have taken the time to speak on this matter.

Let me also thank my colleague and friend, the gentleman from San Diego, California (Mr. BILBRAY), for raising this issue. But, unfortunately, I must disagree with the way he has done this.

As the gentleman from California (Mr. BILBRAY) said, this is only a sense of Congress. This bill will not have any practical legal affect on our laws and how we conduct our affairs, at least not immediately.

It is, in essence, a message bill. Unfortunately, the message it sends is not that this is just a sense of Congress that there is a problem between our two countries of Mexico and the U.S. along our borders, but it sends a different message. The message that will be received, not here, but in Mexico will be one of threats.

While the gentleman from California (Mr. BILBRAY) raises a very important point that we must take care of our environmental matters between two sovereign nations, in this case, our country and the country of Mexico, I do not believe that anyone south of the border reading this sense of Congress would believe that this is a cooperative, collaborative approach to resolving the problems that are disturbing the folks in San Diego.

Let us make it clear, the folks in San Diego have every right to be concerned. The folks in Tijuana, Mexico have every right to be concerned. But what we should not do is say that we will unilaterally take action if we do not believe the Mexican government and the Tijuana government have done enough to resolve this problem.

That is what we are faced with in this sense of Congress, which will have no immediate legal effect. It is a message bill. But the message it sends is that we are doing this today. The message we may get back from the Mexican government and the Tijuana government is, tomorrow we will do something similar.

Let me give my colleagues an example. For many decades, the Mexican public, the Mexican government has complained that the U.S. Government allows its people, its State governments, and local governments to extract too much water from the Colorado River, the best of the Colorado River; and also that our people, our governments, our industry is depositing too much into the Colorado River, which is not good. So that by the time the Colorado River crosses the southern border and gets into Mexico, what they have left of a very rich vibrant river is not much. They say you, U.S., you should be doing more about this. They have been saying this for decades.

Would we want to see a resolution from the Mexican government that says they unilaterally are sending us a sense of their Mexican Congress that the U.S. has not done enough, and because it has not done enough, then the Mexican government can unilaterally start reviewing all its treaties, all its agreements with our country that it has signed?

I do not believe we would take kindly to that, because we would say we are trying. I do not believe anybody thinks that the U.S. Government and its people are trying to give Mexico polluted, unusable, nonpotable water. But the Mexican government and the Mexican people probably would say, well, you may not believe it to be the case, but what we see is much different.

Let me give my colleagues another example. Recently this Congress voted, this year this Congress voted, as the gentleman from Texas (Mr. RODRIGUEZ) mentioned, voted to site a hazardous waste deposit site along the Texas Mexico border, the Sierra Blanca site in Texas.

The Mexican government protested to the U.S. Government and to the State governments of the States involved that would be depositing this hazardous waste along the border that this was unjust, it was unfair, that much of the hazardous waste would migrate at the end into Mexican territory and affect the lives of Mexican people.

They also pointed out, as we here pointed out, that this hazardous site is on top of an existing earthquake fault. And if ruptures as a result of any earth quake would occur, that could expose many people, Mexican and U.S. individuals, to the effects of this hazardous waste.

All of that is to say this, we all have examples of how our governments, our peoples perhaps are not working in the fashion that the other people and the other government would like to see. What we should be doing is what we have done, and in the case of this particular environmental problem in and around Tijuana, the two governments have done, and they have worked cooperatively.

Mexico and the U.S. have been working cooperatively for a number of years on the South International Wastewater Treatment Plant, which is about to start up its operation. In addition, the U.S. and Mexican governments are working through the International Boundary and Water Commission to clean sewer lines and also to construct a back-up system to the current coastal sewage conveyance and treatment system.

They are doing things. But we can certainly argue that we have not seen enough done. But is this the way we treat a partner, someone we say we cooperate with? I think that is the problem.

If we are going to use threats, if we are going to use our muscle, then we should realize that we should be prepared to face the consequences of someone responding in kind. I do not believe that is what we should do with a solid trading partner.

I do believe we send messages, but send messages as a partner would send a message that we want to work with them and we want to improve the conditions. We want to do it together. Because there are people on both sides of the border who will be affected.

I believe the intent of the gentleman from San Diego is eminently good, well-intended, but I do not believe, unfortunately, this sense of Congress gets us there. I would urge my colleagues to vote against this resolution.

Mr. LUTHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I simply want to say that I think this has been a good, healthy discussion. I appreciate the various points of view that have been presented. We all clearly wants to clean up the environment. That is not the issue here.

I commend the gentleman from California (Mr. BILBRAY) for coming forth. I think it has been terrific that we have heard this debate because, clearly, it is a more complex issue than what initially meets the eye.

There are many facets to this discussion, this debate. Of course that is why the administration has concerns about this legislation.

I think the real issue here is how do we best clean up the environment. How do we best approach this? Do we do it through this approach in this legislation, or do we continue the cooperative efforts that the administration has embarked upon in the past and are continuing to undertake?

So I would simply ask the Members to vote their conscience, vote their point of view on this particular issue. I know there is a variety of points of view within our caucus as I am sure there are in the gentleman's.

I thank the Members again, the gentleman from New York (Mr. GILMAN), for his bringing this before us. I urge everyone to look at this issue carefully and to simply vote their point of view on the issue.

Mr. Speaker, I yield back the balance of my time.

□ 2230

Mr. GILMAN. Mr. Speaker, I want to thank the gentleman from Minnesota (Mr. LUTHER) for conducting a very good debate on this measure.

Mr. Speaker, to close our arguments on our side, I yield such time as he may consume to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Speaker, I want to thank my colleagues. I really want to thank my colleagues who have experience related to the Fronteras pollution problems. Let me just tell my colleagues, this is 20 years that I have been trying to address this issue. The reason why I came to Congress probably more so than anything else is the reputation I have had trying to confront the environmental problems.

The fact is that in 1980 I almost went to jail over this issue. Somebody that was willing to stand up, and senior citizens and children stood up and said, enough is enough. Our government has to start addressing this issue. They were frustrated because they were just a working-class community. They did not have a lot of political clout, a lot of influence, but they felt, we are Americans. We have as much right to be defended and protected from environmental problems as wealthy people. Just because the color of our skin may be a little darker, we may be a little poorer, does not mean we do not have environmental rights.

Now, I say to my colleague from Texas, I agree with him, and I want to work with him, and I will commit myself to working with him. The fact is that the Clean Water Act should apply just as much for pollution across the border as it does for within the border. But the frustration of a working-class neighborhood that is told by EPA that they will go to jail if they dump their sewage while that same working community is polluted by somebody else, and the EPA does not clean it up.

The NAD Bank, there can be more things done with the NAD Bank, and I would really point out that there is agreements by the bank to build projects in the Republic of Mexico 60 miles from the border, which I think ought to be taken care of, the landfill at Punta Penasco and the sewer treatment plant in Ensenada. But the border problems should be given the highest priority, because they are the ones that are really the threat to our growing prosperity.

Now, let me get back to this issue. I met with Mexico, articulated to Mexico that this is as much a message to the Federal Government of the United States as it is to Mexico. They understand the concerns. Those who say that we do not want to disturb Mexico or they might take it inappropriately, let me assure my colleague, in 1978, that is exactly what the young neighbor at Imperial Beach was told by the Carter administration, because an oil deal was going through, and they did not want to jeopardize an economic oil deal over just an environmental problem in a working-class neighborhood in the corner of the United States.

Now, Mr. Speaker, I do not think anyone here believes that we should be

selling out the environment for any economic deal. Those days are over with. The fact is, we need to send a very clear message, not just to Mexico, but to ourselves, that we will not allow the continuation of the pollution of our environment just because it is convenient to look the other way for economic or political reasons; that every neighborhood in the United States has the right to a clean, healthy environment, and the Federal Government of the United States has as much responsibility to the environment along the border as it does anywhere else in this country.

Mr. Speaker, I am not half as concerned as the message this body could send to Mexico. We have already sent it, it has been delivered. What I am concerned about is the message we send to our fellow citizens here in the United States. There is much prejudice against Mexico, and I want to stop that, and I think the one way we stop it is by sending a clear message to American citizens that this body, the sense of Congress, is that we will not sell out the environment of America for economic advantage. We will place the environment of the United States and the citizens who live in that environment first and foremost in all of our relationships.

I ask my colleagues, please, to pull together and just say, let us work together so that we make sure our relationships with Mexico and the United States and the environment are all cleaned up together. That kind of commitment is what I am asking for today.

I ask for approval of this resolution, Mr. Speaker.

Mr. GILMAN. Mr. Speaker, I want to thank the gentleman from California for his very eloquent argument.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BLUNT). The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and agree to the resolution, H. Res. 331.

The question was taken.

Mr. BECERRA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5 of rule 1 and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

EXPRESSING SUPPORT FOR U.S. GOVERNMENT EFFORTS TO IDENTIFY HOLOCAUST-ERA ASSETS, URGING THE RESTITUTION OF INDIVIDUAL AND COMMUNAL PROPERTY

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 557) expressing support for U.S. Government efforts to identify Holocaust-era assets, urging the restitution of individual and communal property, and for other purposes.

The Clerk read as follows:

H. RES. 557

Whereas the Holocaust was one of the most tragic and complex horrors in this century, and survivors of that catastrophe are now reaching the end of their lives;

Whereas among the many atrocities committed by the Nazis was their systematic effort to confiscate property illegally and wrongfully from individuals, institutions, and communities solely because of religion or ethnicity;

Whereas the Nazi regime used foreign financial institutions to launder and hold property illegally confiscated from Holocaust victims, and some foreign financial institutions violated their fiduciary duty to their customers by converting to their own use financial assets belonging to Holocaust victims and denying heirs of these victims access to these assets through restrictive regulations and unreasonable interpretation of those regulations;

Whereas in the post-Communist period of transition many of the countries of Central and Eastern Europe have begun to enact legal procedures for the restitution of property confiscated or stolen from victims of the holocaust to communities and to individual survivors of the Holocaust and their heirs;

Whereas, despite the enactment of legislation and the establishment of institutions to restore confiscated property in a number of countries, progress has been slow, difficult, and painful, and some countries have established restrictions which require those whose properties have been wrongfully plundered to reside in or be a current citizen of the country from which they now seek restitution or compensation;

Whereas the Tripartite Gold Commission has now concluded its activities, and under the leadership of the United States established an international Nazi Persecutees' Relief Fund, reached agreement with most of the countries which had gold on deposit with the Tripartite Gold Commission to donate their shares to this Persecutees' Fund, and the United States has pledged to contribute $25 million to this fund;

Whereas two significant agreements have recently been reached, the first between Holocaust survivors and private Swiss banks and the second between Holocaust survivors and European insurance companies, which represent significant first steps in the international effort to provide belated justice to survivors and victims of the Holocaust and their heirs;

Whereas the Department of State and the United States Holocaust Memorial Museum will co-host the Washington Conference on Holocaust-Era Assets later this year in order to review current efforts, share research across national borders, renew efforts to open Nazi-era archives, and spur greater progress on the restitution of Holocaust-era assets; and

Whereas there is a growing international consensus and sense of urgency that, after a half century of indifference and inaction, justice must be obtained for victims and survivors of the holocaust and their heirs; Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the great responsibility which the United States has to Holocaust survivors and their families, many of whom are American citizens, to continue to treat the issue of Holocaust-era assets as a high priority and to encourage other governments to do the same;

(2) commends the agencies of the United States government for their untiring efforts and for the example they have set, including the publication of the May 1997 and June 1998 reports on U.S. and Allied Efforts to Recover or Restore Gold and Other Assets Stolen or Hidden by Germany in World War II and the efforts to return such assets to their rightful owners;

(3) commends those organizations which have played a critical role in the effort to assure compensation and/or restitution for survivors of the Holocaust, and in particular to the World Jewish Congress and the World Jewish Restitution Organization;

(4) welcomes the convening of the Washington Conference on Holocaust-Era Assets later this year by the United States Holocaust Memorial Museum and the Department of State and expresses the hope that this conference will contribute to the sharing of information and will spur greater progress on the restitution of Holocaust-era assets;

(5) commends those countries which have instituted procedures for the restitution of individual and communal property confiscated from Holocaust victims, and urges those governments which have not established such procedures to adopt fair and transparent legislation and regulations necessary for such restitution;

(6) calls upon countries in transition in Central and Eastern Europe to remove certain citizenship or residency prerequisites for individual survivors of the Holocaust seeking restitution of confiscated property;

(7) notes that former Communist countries which seek to become members of the North Atlantic Alliance and other international organizations must recognize that a part of the process of international integration involves the enactment of laws which safeguard and protect property rights that are similar to those in democratic countries which do not require artificial citizenship and residency requirements for restitution or compensation;

(8) commends those countries which have established significant commissions, such as the Presidential Advisory Commission on Holocaust Assets in the United States, to conduct research into matters relating to Holocaust-era assets, to assure that information developed by these commissions is publicly available, to complete their major historical research efforts, and to contribute to the major funds established to benefit needy Holocaust survivors no later than December 31, 1999;

(9) commends those countries and organizations which have opened their archives and made public records and documents relating to the Nazi era, and urges all countries and organizations, including the United Nations, the Holy See, the International Committee of the Red Cross and national Red Cross organizations, to assure that all materials relating to that era are fully accessible to the public;

(10) urges all countries to develop and include as a part of their educational curriculum material on the Holocaust, the history of the Second World War, the evils of discrimination and persecution of racial, ethnic or religious minorities, and the consequences of the failure to respect human rights;

(11) appreciates the efforts of the government of Germany for successfully concluding an agreement with the Conference on Material Claims Against Germany on matters concerning restitution for Holocaust survivors from Central and Eastern Europe who have not yet received restitution, and urges the government of Germany to continue to negotiate with the Claims Conference to expand the eligibility criteria to ensure that