

PROVIDING FOR THE CONSIDERATION OF H.R. 999, THE
BEACHES ENVIRONMENTAL ASSESSMENT, CLEANUP AND
HEALTH ACT OF 1999

APRIL 21, 1999.—Referred to the House Calendar and ordered to be printed

Mr. REYNOLDS, from the Committee on Rules,
submitted the following

REPORT

[To accompany H. Res. 145]

The Committee on Rules, having had under consideration House Resolution 145, by a record vote of 11 to 0, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF RESOLUTION

The resolution provides for the consideration of H.R. 999, the “Beaches Environmental Assessment, Cleanup and Health Act of 1999” under an open rule. The rule provides one hour of general debate divided equally between the chairman and ranking minority member of the Committee on Transportation and Infrastructure.

The rule makes in order the Committee on Transportation and Infrastructure amendment in the nature of a substitute as an original bill for the purpose of amendment, which shall be open for amendment by section. The rule further provides for the consideration of the manager’s amendment printed in this report, if offered by Representative Shuster or his designee. The manager’s amendment shall be considered as read, may amend portions of the bill not yet read for amendment, shall not be subject to amendment or to a division of the question, and is debatable for 10 minutes equally divided between the proponent and an opponent. If adopted, the amendment is considered as part of the base text for further amendment purposes.

The rule allows for the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote.

Members who have preprinted their amendments in the Record prior to their consideration will be given priority in recognition to offer their amendments if otherwise consistent with House rules. Finally, the rule provides for one motion to recommit, with or without instructions.

COMMITTEE VOTES

Pursuant to clause 3(b) of House rule XIII the results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 17

Date: April 21, 1999.

Measure: H.R. 999, the Beaches Environmental Assessment, Cleanup and Health Act of 1999.

Motion by: Mr. Goss.

Summary of motion: To report the resolution.

Results: Adopted 11 to 0.

Vote by Members: Goss—Yea; Linder—Yea; Pryce—Yea; Diaz-Balart—Yea; Hastings—Yea; Myrick—Yea; Sessions—Yea; Reynolds—Yea; Moakley—Yea; Frost—Yea; Dreier—Yea.

AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SHUSTER OF PENNSYLVANIA, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 2, line 5, strike "Assessment" and insert "Awareness".

Page 3, line 8, strike "If a State" and all that follows through "paragraph (1)(A)," on line 10 and insert the following:

If a State has not adopted water quality criteria referred to in paragraph (1)(A) that are as protective of human health as the criteria for pathogens and pathogen indicators for coastal recreation waters that the Administrator has published under section 304(a)(9),

Page 6, line 13, after "State," insert "tribal,".

Page 7, line 9, strike "shall" and insert "is authorized to".

Page 7, line 10, after "States" insert ", Indian tribes,".

Page 7, line 14, after "STATE" insert "AND TRIBAL".

Page 7, line 16, strike "shall" and insert "is authorized to".

Page 7, line 16, after "State" insert "or Indian tribe".

Page 7, line 23, after "State" insert "or Indian tribe".

Page 7, line 25, strike "shall" and insert "is authorized to".

Page 8, line 1, after "State" insert "or Indian tribe".

Page 8, line 9, after "State" insert "or Indian tribe".

Page 8, line 14, after "State" insert "or Indian tribe".

Page 8, line 19, after "State" insert "or Indian tribe".

Page 10, line 17, after "State" insert "or tribal".

Page 11, line 8, strike "shall" and insert "is authorized to".

Page 11, line 17, strike "shall" and insert "is authorized to".

Page 12, line 15, after "State" insert ", Indian tribe,".

Page 12, line 17, after "State" insert ", Indian tribe,".

Page 13, after line 20, insert the following:

"(c) FEDERAL AGENCY PROGRAMS.—Each Federal agency shall develop, through a process that provides for public notice and an opportunity for comment, a program for monitoring and notification

to protect public health and safety that meets the performance criteria established under subsection (a) for coastal recreation waters adjacent to beaches (or other points of access) that are open to the public and subject to the jurisdiction of the Federal agency. Each Federal agency program shall address the matters identified in subsection (b)(2)(B)(iii).

Page 13, line 21, strike “(c)” and insert “(d)”.

Page 14, line 5, strike “The Administrator” and all that follows through line 10 and insert the following: “The Administrator may include in the database other information only if the information is on exceedances of applicable water quality standards for pathogens and pathogen indicators for coastal recreation waters and is made available to the Administrator from other coastal water quality monitoring programs determined to be reliable by the Administrator. The database may provide such information through electronic links to other databases determined to be reliable by the Administrator.”

Page 14, line 11, strike “(d)” and insert “(e)”.

Page 14, line 12, after “States” insert “, Indian tribes,”.

Page 14, line 16, strike “(e)” and insert “(f)”.

Page 15, strike lines 8 through 19 and insert the following:

“(g) EPA IMPLEMENTATION.—With respect to a State that has no program for monitoring for and notification of exceedances of the applicable water quality standards for pathogens and pathogen indicators in coastal recreation waters adjacent to beaches (or other points of access) open to the public that protects public health and safety, after the last day of the 3-year period beginning on the date the Administrator identifies, on a list required pursuant to subsection (f), discrete areas of coastal recreation waters in the State that are not subject to a monitoring and notification program meeting the performance criteria established under subsection (a), the Administrator shall conduct, subject to the conditions of subsection (b)(2), a monitoring and notification program for such discrete areas using the funds appropriated for grants under subsection (b), including salaries, expenses, and travel.

Page 15, line 20, strike “(g)” and insert “(h)”.

Page 15, line 21, after “States” insert “, Indian tribes,”.

Page 16, line 7, insert “coastal” before “estuaries”.