The customer-owned pipe issue merits some further discussion. The three organizations responsible for ensuring pipeline safety have identified customer-owned natural gas service lines as a major cause for concern: The National Transportation Safety Board, the Department of Transportation, and the National Association of State Pipeline Safety Representatives. I support and agree with the views of all of these organizations on this matter.

The National Transportation Safety Board addressed this issue in its report entitled "Kansas Power and Light Company Natural Gas Accidents September 16, 1988 to March 29, 1989" [NTSB/PAR-90/01]. The report says,

Subsection (c) of section 115 does not exempt, limit, or change the definition of "trans- portation" in section 2(9) of the Natural Gas Pipeline Safety Act. Rather, it requires that the Department of Transportation, the States, the pipeline operators and the customers take whatever action is necessary to address this important safety issue.

The smart pig provisions also merit some elaboration. The Secretary must require periodic inspection by a smart pig or by an equally effective method. In determining whether alternative protective devices are equivalent degree of safety to that provided by smart pigs, the Secretary should place the greatest weight on the comparative predictive capability.

In sum, the bill continues the steady congressional effort to improve the safety of our pipelines, and I urge the House to pass it.

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

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

Mr. SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MINETA). Mr. MINETA. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MINETA).

Mr. MINETA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to raise any points of order on the Senate amendments just concurred in.

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

There was no objection.

Mr. MINETA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to raise any points of order on the Senate amendments just concurred in.

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

There was no objection.

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

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

Mr. SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MINETA).

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MINETA).

Mr. MINETA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to raise any points of order on the Senate amendments just concurred in.

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

There was no objection.

Mr. MINETA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to raise any points of order on the Senate amendments just concurred in.

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

There was no objection.

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

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

Mr. SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MINETA).

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MINETA).

Mr. MINETA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to raise any points of order on the Senate amendments just concurred in.

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

There was no objection.

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

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

Mr. SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MINETA).

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MINETA).

Mr. MINETA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to raise any points of order on the Senate amendments just concurred in.

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

There was no objection.

Mr. MINETA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to raise any points of order on the Senate amendments just concurred in.

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

There was no objection.

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

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

Mr. SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MINETA).

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MINETA).

Mr. MINETA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to raise any points of order on the Senate amendments just concurred in.

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

There was no objection.

Mr. MINETA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to raise any points of order on the Senate amendments just concurred in.

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

There was no objection.

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

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

Mr. SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MINETA).

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MINETA).

Mr. MINETA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to raise any points of order on the Senate amendments just concurred in.

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

There was no objection.

Mr. MINETA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to raise any points of order on the Senate amendments just concurred in.

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

There was no objection.

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

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

Mr. SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MINETA).

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MINETA).

Mr. MINETA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to raise any points of order on the Senate amendments just concurred in.

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

There was no objection.

Mr. MINETA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to raise any points of order on the Senate amendments just concurred in.

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

There was no objection.

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

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

Mr. SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MINETA).

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MINETA).

Mr. MINETA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to raise any points of order on the Senate amendments just concurred in.

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

There was no objection.

Mr. MINETA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to raise any points of order on the Senate amendments just concurred in.

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

There was no objection.

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

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

Mr. SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MINETA).

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MINETA).

Mr. MINETA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to raise any points of order on the Senate amendments just concurred in.

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

There was no objection.

Mr. MINETA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to raise any points of order on the Senate amendments just concurred in.

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

There was no objection.
which represents or is traceable to the gross proceeds obtained, directly or indirectly, as a result of such violation.

SEC. 105. CHOP SHOPS.

(a) AMENDMENT.—Chapter 113 of title 18, United States Code, is amended by adding at the end the following:

"(a) IN GENERAL.—

"(1) UNLAWFUL ACTION.—Any person who knowingly owns, operates, maintains, or controls a chop shop or conducts operations in a chop shop shall be punished by a fine under this title or by imprisonment for not more than 15 years, or both. If a conviction of such person under this paragraph is for a violation committed after the first conviction of such person under this paragraph, the maximum punishment shall be doubled with respect to any fine and imprisonment.

"(2) INJUNCTIONS.—The Attorney General shall, as appropriate, in the case of any person who violates paragraph (1), commence a civil action for permanent or temporary injunction to restrain such violation.

(b) CONTENT.—For purposes of this section, the term 'chop shop' means any building, lot, facility, or other structure or premise where one or more persons engage in receiving, controlling, destroying, dismantling, assembling, dismantling, reassembling, or storing any automobile or vehicle part in interstate or foreign commerce."

SEC. 122. AWARD OF GRANTS.

(a) IN GENERAL.—The Director shall allocate to each State a proportion of the total amount of funds available under subsection (a) that is equal to the proportion of the number of motor vehicles registered in such State to the total number of motor vehicles registered in the United States. The Director shall ensure that all applicant States have an opportunity to receive grants from an available fund. Any State that has not met the requirements described in section 203 of this Act shall be excluded from any allocation under this subsection.

(b) GRANT AMOUNTS.—If one Anti Car Theft Committee within a State submits an application in compliance with section 131, the Director shall award to such Anti Car Theft Committee a grant equal to the total amount of funds allocated to such State under this section. In no case shall the Anti Car Theft Committee receive a grant that is more than 50 percent of the preaward budget for such Anti Car Theft Committee.

(c) MULTIPLE COMMITTEES.—If two or more Anti Car Theft Committees within a State submit applications in compliance with section 131, the Director shall award to such Anti Car Theft Committees grants that are in proportion to the number of people employed in or devoted entirely to combating motor vehicle thefts and the Attorney General, or his delegate, shall ensure that all applicant States have an opportunity to receive grants from an available fund. Any State that has not met the requirements described in section 203 of this Act shall be excluded from any allocation under this subsection.

(d) REPORT.—The Director shall prepare a report containing the results of such study and shall submit such report to the President and the Congress and to the chief executive officer of each State not later than 12 months after the task force is established, which shall, together with appropriate recommendations, be made available to the public.

(e) MEMBERSHIP.—The task force shall consist of:

(1) the Attorney General of the United States;

(2) the Attorney General's delegate;

(3) the Secretary of Commerce, or the Secretary's delegate;

(4) a representative of the National Insurance Crime Bureau; and

(5) at least 3 representatives, to be designated by the Secretary of Transportation, to represent the following groups:

(a) the owners of motor vehicles;

(b) the motor vehicle dealers and distributors; and

(c) the National Insurance Crime Bureau.

(f) REPORT.—The task force shall prepare a report containing the results of such study and shall submit such report to the President and the Congress and to the chief executive officer of each State not later than 12 months after the task force is established, which shall, together with appropriate recommendations, be made available to the public.

(g) CHAIR.—The Secretary of Transportation, or the Secretary's delegate, shall be the chairman of the task force. The task force may also include representatives of the Governors and State legislators to participate in the task force.

(h) REPORT.—The report required by subsection (g)(2) shall be made after a meaningful and substantive process and review of existing laws, practices, and recommendations regarding the problems specified in subsection (g)(1).
October 5, 1992

CONGRESSIONAL RECORD—HOUSE

H11815

SEC. 200. NATIONAL MOTOR VEHICLE TITLE INFORMATION SYSTEM.

(a) INFORMATION SYSTEM.—

(1) ESTABLISHMENT.—Not later than January 1, 1996, the Secretary, in cooperation with the States, shall establish a national Motor Vehicle Information System (in this title referred to as the "National Motor Vehicle Title Information System") to provide the Secretary and the States with the information required to determine the availability of information concerning the titling of automobiles, and to be included in the system will be adequately effective. The report shall recommend viable ways of obtaining any national uniformity which is necessary.

The report shall also include other recommendations for legislative or administrative action at the State level or at the Federal level, and recommendations for industry and public actions.

TITLE II—AUTOMOBILE TITLE FRAUD

SEC. 201. DEFINITIONS.

For purposes of this title:

(1) The term "automobile" has the meaning given such term by section 501(1) of the Motor Vehicle Information and Cost Savings Act of 1984, as amended.

(2) The term "certificate of title" means a document issued by a State evidencing ownership of an automobile.

(3) The term "junk automobile" means any automobile which is incapable of operation on roads or highways and which has no value except as a source of parts or scrap.

(4) The term "junk automobile" means any automobile which is incapable of operation on roads or highways and which has no value except as a source of parts or scrap.

(5) The term "junk yard" means any individual, corporation, or other entity which is engaged in the business of acquiring or operating junk automobiles for resale, either in their entirety or as spare parts, for rebuilding or restoration, or for crushing.

(6) The term "operator" means a person or entity authorized or designated as the operator of the information system pursuant to section 202(a)(2) or if no such person or entity is authorized, the Secretary.

(7) The term "salvage automobile" means any automobile which is damaged by collision, fire, flood, accident, trespass, or other circumstances so as to reduce its fair market value plus the cost of repairing the automobile for legal operation on roads or highways to an amount lower than the fair market value of the automobile immediately prior to the occurrence causing its damage.

(8) The term "salvage yard" means any individual, corporation, or other entity which is engaged in the business of acquiring or operating junk automobiles for resale, either in their entirety or as spare parts, for rebuilding or restoration, or for crushing.

(9) The term "Secretary" means the Secretary of Transportation.

(10) The term "State" means any State of the United States or the District of Columbia.

SEC. 202. NATIONAL MOTOR VEHICLE TITLE INFORMATION SYSTEM.

(a) INFORMATION SYSTEM.—

(1) ESTABLISHMENT.—Not later than January 1, 1996, the Secretary, in cooperation with the States, shall establish a national Motor Vehicle Information System (in this title referred to as the "National Motor Vehicle Title Information System") to provide the Secretary and the States with the information required to determine the availability of information concerning the titling of automobiles, and to be included in the system will be adequately effective. The report shall recommend viable ways of obtaining any national uniformity which is necessary.

The report shall also include other recommendations for legislative or administrative action at the State level or at the Federal level, and recommendations for industry and public actions.

(2) CONTENT.—The report shall specify the key aspects of motor vehicle antitheft measures necessary to prevent the disposition or use of stolen vehicles, and the major components of motor vehicles, and to prevent insurance and other fraud based upon false representations of the identity of motor vehicles. The report shall indicate any of the antitheft measures for which national uniformity would be crucial in order for the measure to be adequately effective. The report shall recommend viable ways of obtaining any national uniformity which is necessary.

The report shall also include other recommendations for legislative or administrative action at the State level or at the Federal level, and recommendations for industry and public actions.

(3) TO PROSPECTIVE PURCHASERS.—Upon receipt of a request for a certificate of title, the Secretary shall require the operator to provide to the Secretary the information described in section 408 of the Motor Vehicle Information and Cost Savings Act (19 U.S.C. 1991), of such vehicle on the date its certificate of title was issued and such other information, if noted by the State, and to the extent that its fair salvage value plus the cost of repairing the automobile for legal operation on roads or highways to an amount lower than the fair market value of the automobile immediately prior to the occurrence causing its damage.

(4) TO INSURANCE CARRIERS.—Upon request of an insurance company or an entity that insures against theft or loss of owner, the operator makes available to such prospective purchaser information in the information system pertaining to such automobile.

(5) PRIVACY.—Notwithstanding any provision of paragraphs (1) through (4), the operator shall release no information other than what is necessary to reasonably satisfy the designated holder of title or owner or lessee of the automobile to which title and related information to be included in the system will be adequate, timely, reliable, uniform, and capable of aiding in efforts to prevent the introduction into interstate commerce of stolen vehicles or parts.

(b) DESCRIPTION OF INFORMATION.—The Secretary may authorize the distribution of the information system established or designated under paragraph (1) or by contract through an agreement between the Secretary and a third party which represents the interests of the States.

(c) FEES.—Operation of the information system established or designated under paragraph (1) shall be paid for by a system of user fees and should be self-sufficient and not be dependent on Federal funds. The amount of fees collected and retained subject to annual appropriation Acts, by the operator pursuant to this subsection, a grant does not exceed—

(1) whether an automobile bearing a known vehicle identification number is titled in a particular State or has been a junk vehicle or a salvage vehicle,

(2) for an automobile known to be titled in a particular State, the odometer reading information, as required in section 408 of the Motor Vehicle Information and Cost Savings Act (19 U.S.C. 1991), of such vehicle on the date its certificate of title was issued and such other information, if noted by the State, and to the extent that its fair salvage value plus the cost of repairing the automobile for legal operation on roads or highways to an amount lower than the fair market value of the automobile immediately prior to the occurrence causing its damage.

(3) TO LAW ENFORCEMENT.—Upon request of a Federal, State, or local law enforcement official, the operator makes available to such such such information in the information system pertaining to such automobile.

(4) TO PROSPECTIVE PURCHASERS.—Upon request of a prospective purchaser of an automobile, including an auction company or an entity that insures against theft or loss of owner, the operator makes available to such prospective purchaser information in the information system pertaining to such automobile.

(5) TO INSURANCE CARRIERS.—Upon request of an insurance company or an entity that insures against theft or loss of owner, the operator makes available to such prospective purchaser information in the information system pertaining to such automobile.

(6) WHETHER AN AUTOMOBILE BEARING A KNOWN VEHICLE IDENTIFICATION NUMBER IS TITLED IN A PARTICULAR STATE, OR HAS BEEN A JUNK OR SALVAGE VEHICLE.

(7) TO LAW ENFORCEMENT.—Upon request of a Federal, State, or local law enforcement official, the operator makes available to such such such information in the information system pertaining to such automobile.

(8) TO PROSPECTIVE PURCHASERS.—Upon request of a prospective purchaser of an automobile, including an auction company or an entity that insures against theft or loss of owner, the operator makes available to such prospective purchaser information in the information system pertaining to such automobile.

(9) TO INSURANCE CARRIERS.—Upon request of an insurance company or an entity that insures against theft or loss of owner, the operator makes available to such such such information in the information system pertaining to such automobile.

(10) WHETHER AN AUTOMOBILE BEARING A KNOWN VEHICLE IDENTIFICATION NUMBER IS TITLED IN A PARTICULAR STATE, OR HAS BEEN A JUNK OR SALVAGE VEHICLE.

(11) REPORT TO CONGRESS.—Not later than January 1, 1995, the Secretary shall report to Congress which States have met the requirements imposed by section 203. If any State has not met these requirements, the Secretary shall describe the steps that have resulted in the State's failure to meet the requirements.

(b) REPORTING.—

(1) OPERATORS OF JUNK OR SALVAGE YARD.—

(2) INVENTORY REPORT.—Beginning at a time not earlier than January 1, 1996, each operator of an automobile junk yard or automobile salvage yard shall file a monthly report with the operator. Such report shall contain an inventory of all junk yard or automobile salvage yard and parts which have resulted in the State's failure to meet the requirements.

(3) SEC. 204. REPORTING.

(a) OPERATORS OF JUNK OR SALVAGE YARD.—

(1) INVENTORY REPORT.—Beginning at a time not earlier than January 1, 1996, each operator of an automobile junk yard or automobile salvage yard shall file a monthly report with the operator. Such report shall contain an inventory of all junk yard or automobile salvage yard and parts which have resulted in the State's failure to meet the requirements.
vehicle identification number of each vehicle obtained, the date on which it was obtained, the name of the person or entity from whom the vehicle was obtained, whether the vehicle was obtained, and the owner of the vehicle at the time of the filing of the report.

(c) ENFORCEMENTofiPRACTICES.—The Secretary shall establish by rule procedures and practices to facilitate reporting in the least burdensome and costly fashion.

§ 303. DESIGNATIONOfHIGH THEFT VEHICLE LINES AND PARTS

Section 603 of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2022) is amended—

(1) by adding subsection (d)(1) to read as follows:

"(d)(1) In the case of major parts installed by the motor vehicle manufacturer, the rule shall be effective for model years in which the final standard is promulgated unless the Secretary shall promulgate a vehicle rule under subparagraph (c) of subsection (a) and by redesignating paragraphs (3) and (4) of subsection (a); and inserting in lieu thereof "in which the final standard is promulgated".

(2) by striking paragraph (3) and redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(3) by striking "or (3)" in redesignated paragraph (4)(a) and redesignating paragraphs (4)(b) and (4)(c) as paragraphs (4)(a) and (4)(b), respectively;

(4) by adding at the end of subsection (a) the following:

"(a) Any motor vehicle line subject, on the date of enactment of the Anti-Car Theft Act of 1992, to parts marking requirements under section 603 and this section shall continue to be subject to such requirements unless such motor vehicle line becomes exempt from such requirements under section 603.

(5) by striking paragraph (4)(a) of subsection (b) and redesignating paragraph (5)(b) as paragraph (4)(a), and redesignating paragraph (5)(c) as paragraph (5)(b)."
(c) NATIONAL STOLEN AUTO PART INFORMATION SYSTEM.

"SEC. 609. (a) The Attorney General shall, within 9 months of the date of the enactment of the Anti Car Theft Act of 1982, maintain in the National Stolen Auto Part Information System an information system containing the identification numbers of stolen passenger motor vehicles and salvage parts. The Attorney General shall also consult with State and local law enforcement agencies in the establishment of such system.

(b) The Attorney General, in consultation with the Attorney General who is qualified to represent the interests of the automotive recycling industry, shall establish an advisory committee with respect to the National Stolen Auto Part Information System.

(c) The advisory committee established under paragraph (a) shall be composed of 10 members as follows:

(1) One individual appointed by the Attorney General.
(2) One individual appointed by the Secretary.
(3) One individual appointed by the American Agricultural manufacturers.
(4) One individual appointed by the National Association of Recyclers.
(5) One individual appointed by the National Association of Dealers.
(6) One individual appointed by the National Association of insurers.
(7) One individual appointed by the National Association of recyclers.
(8) One individual appointed by the National Association of lemon law practitioners.
(9) One individual appointed by the National Association of insurance carriers.
(10) One individual appointed by the National Association of automotive manufacturers.

(d) ADVISORY COMMITTEE.

(1) In general.—The National Stolen Auto Part Information System shall be maintained under subsection (a) to be developed by the Attorney General with the advice and recommendation of the advisory committee established under paragraph (a).

(2) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, the Attorney General shall establish in the Department of Justice an advisory committee with respect to the National Stolen Auto Part Information System to be maintained under subsection (a).

(3) MEMBERSHIP.—The advisory committee established under paragraph (a) shall be composed of 10 members as follows:

(1) One individual appointed by the Attorney General to serve as the chairperson of the advisory committee.
(2) The Secretary of Transportation.
(3) One individual appointed by the Attorney General who is qualified to represent the interests of the national law enforcement community at the State level.
(4) One individual appointed by the Attorney General who is qualified to represent the interests of the automotive recycling industry.

(e) NATIONAL STOLEN AUTO PART INFORMATION SYSTEM.

"SEC. 609. (a) The Attorney General shall, within 9 months of the date of the enactment of the Anti Car Theft Act of 1982, maintain in the National Stolen Auto Part Information System an information system containing the identification numbers of stolen passenger motor vehicles and salvage parts. The Attorney General shall also consult with State and local law enforcement agencies in the establishment of such system.

(b) The Attorney General, in consultation with the Attorney General who is qualified to represent the interests of the automotive recycling industry, shall establish an advisory committee with respect to the National Stolen Auto Part Information System.

(c) The advisory committee established under paragraph (a) shall be composed of 10 members as follows:

(1) One individual appointed by the Attorney General.
(2) One individual appointed by the Secretary.
(3) One individual appointed by the American Agricultural manufacturers.
(4) One individual appointed by the National Association of Recyclers.
(5) One individual appointed by the National Association of Dealers.
(6) One individual appointed by the National Association of insurers.
(7) One individual appointed by the National Association of recyclers.
(8) One individual appointed by the National Association of lemon law practitioners.
(9) One individual appointed by the National Association of insurance carriers.
(10) One individual appointed by the National Association of automotive manufacturers.

(d) ADVISORY COMMITTEE.

(1) In general.—The National Stolen Auto Part Information System shall be maintained under subsection (a) to be developed by the Attorney General with the advice and recommendation of the advisory committee established under paragraph (a).

(2) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, the Attorney General shall establish in the Department of Justice an advisory committee with respect to the National Stolen Auto Part Information System to be maintained under subsection (a).

(3) MEMBERSHIP.—The advisory committee established under paragraph (a) shall be composed of 10 members as follows:

(1) One individual appointed by the Attorney General to serve as the chairperson of the advisory committee.
(2) The Secretary of Transportation.
(3) One individual appointed by the Attorney General who is qualified to represent the interests of the national law enforcement community at the State level.
(4) One individual appointed by the Attorney General who is qualified to represent the interests of the automotive recycling industry.
"There are many causes of auto theft and we have been hearing all year that auto theft is a serious problem. It is a problem facing our constituents. They are fed up with auto theft. They do not require a lot of rhetoric or posturing. They do require that their problems are solved. Well, the Congress has worked closely with many of my colleagues on this bill. First and foremost, I want to thank and commend my colleague from Wisconsin, Jim Sensenbrenner, the ranking member of the Crime Subcommittee. We introduced this bill together 1 months ago today. Mr. Sensenbrenner held a hearing on auto theft. Since then we have worked together to bring the bill through the Judiciary Committee and to the floor. I would also like to recognize the contributions of Chairpersons Henry A. Waxman, Rob Garthout, Mineta, and Collins.

Mr. SCHUMER. Mr. Speaker, I yield 10 minutes of my time to the gentleman from Michigan [Mr. Dingell], chairman of the Committee on Energy and Commerce and ask unanimous consent that he be allowed to control that time.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York [Mr. SCHUMER] will be recognized for 30 minutes, and the gentleman from Wisconsin [Mr. SENSENBERGEN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, I yield 10 minutes of my time to the gentleman from Michigan [Mr. Dingell], chairman of the Committee on Energy and Commerce and ask unanimous consent that he be allowed to control that time.

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

There was no objection.

We have been hearing all year that auto theft is a serious problem. Well, the Congress can work, and this bill is the proof. Our constituents have a problem, a costly, frustrating, and often violent problem—auto theft. I could read you the statistics, but I'm sure you don't need me to do that. Auto theft is a high-speed racer, running laps around law enforcement. This bill gives law enforcement the tools it needs to catch him.

This bill does that by requiring that major car parts be marked with ID numbers, and that insurance companies and repair shops use these ID numbers to avoid buying and selling stolen parts. We may not realize it, but many of us have probably had stolen parts put into our cars by repair shops. We can stop that kind of transaction—where a stolen part enters the stream of legitimate commerce as a repair part—we can make a tremendous dent in auto theft.

The problem is not that repair shops deliberately seek out stolen parts to use. The problem is that they have no way of knowing whether a used part has been stolen. This bill would make it the repair shops' responsibility not to use. It would authorize the Secretary of Commerce to define ID numbers and to cooperate with the FBI database of stolen car ID numbers. Before a repair shop installs a used part, it would have to check to make sure that the part is not stolen. The bill takes the profit out of car theft in other ways as well. It will help State motor vehicle departments coordinate with each other so thieves cannot get phony or washed titles for stolen cars. It will also beef up customs supervision of outgoing cars, so thieves cannot export stolen cars.

I have worked closely with many of my colleagues on this bill. First and foremost, I want to thank and commend my colleague from Wisconsin, Jim Sensenbrenner, the ranking member of the Crime Subcommittee. We introduced this bill together 1 months ago today. Mr. Sensenbrenner held a hearing on auto theft. Since then we have worked together to bring the bill through the Judiciary Committee and to the floor. I would also like to recognize the contributions of Chairpersons Henry A. Waxman, Rob Garthout, Mineta, and Collins.
October 5, 1992

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

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

Mr. SENSENBRENNER. Mr. Speaker, the gentleman from New York [Mr. SCHUMER], chairman of our subcommittee, has explained the bill. It is a compromise from the bill which he and I originally introduced, and basically the compromise phases in the vehicle identification numbering system which we believe is the guts of this bill.

While much attention in the public has been drawn to the fact that this bill makes armed carjacking a Federal crime, the guts of this bill is to deter car theft by putting the vehicle identification numbers on major parts which are resold to chop shops, and hopefully using that to deter the market for these parts from stolen cars. With the phase-in, and a determination by the Attorney General on December 31, 1998, we believe we have reached a broad bipartisan agreement to allow this bill to be placed on the suspension calendar. This is a practical alternative to the problem of armed carjacking as well as to the problem of car theft which causes about 88 percent of the premiums for the comprehensive part of every person's auto insurance.

I hope we can quickly enact this bill, and the other body will adopt it so that we can come back with an accomplishment in the 102d Congress.

Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota [Mr. RAMSTAD].

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

Mr. RAMSTAD. Mr. Speaker, I thank the gentleman for yielding me the time. As a member of the Crime Subcommittee, I want to commend Chairman DINGELL and ranking member SENSENBRENNER for their bipartisan effort on this legislation.

The threat of carjacking has put fear and terror in the hearts and minds of all law-abiding Americans. People are outraged and terrified by the heinous carjacking epidemic currently sweeping the nation. How can any civilized nation tolerate the brutal killing of a mother dragged 2 miles to her death, while desperately trying to reach for her infant child inside her car? How can any civilized people tolerate such despicable, outrageous criminal acts? They cannot and they will not.

The American people should not have to wait for this bill to become law. Carjackers. They want Congress to act now to pass this important legislation which imposes a 25-year prison term for anyone convicted of this crime. Let the message be crystal clear to would-be carjackers: this crime will not be tolerated. Let these thugs know: If you do this crime, you will do the time.

As a sponsor of this important legislation, I urge my colleagues to vote for the Anti-Car-Theft Act of 1992.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. GREEN].

Mr. GREEN of New York. Mr. Speaker, I thank the gentleman for yielding me time to me.

Mr. Speaker, as the sponsor of the original legislation enacted by the Congress some years ago to require the placement of vehicle identification numbers on auto parts in addition to the dashboard and the engine, I rise to support H.R. 4562.

My bill, which Congress ultimately enacted, required vehicle identification numbers on major parts. Unfortunately, because of auto industry opposition, the bill got modified as it proceeded through the committee process, and the result was that only a minority of major auto parts now carry vehicle identification numbers. This has been far less effective than it should be.

This bill will, over time, end the loopholes that were driven into the legislation I sponsored. It will thus make the vehicle identification numbering system a far more effective device for dealing with the theft of cars to deliver them to chop shops, which cannibalize stolen parts to supply the parts market, and thus victimize consumers, legitimate parts manufacturers and recyclers, and legitimate repair shops alike.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. UPTON].

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

Mr. UPTON. Mr. Speaker, I just want to commend all of the parties here for their hard work to get a compromise so we could bring such a bill to the floor at 5 in the morning, or maybe 6.

I am pleased to rise today in support of H.R. 4542, the Anti-Car-Theft Act of 1992. This center of recent weeks has underscored the need for legislation which firmly addresses the problem of auto theft and its associated violence.

This bill makes armed carjacking a Federal crime, and by the Attorney General on December 5, 1992. The events of recent weeks have underscored the need for legislation I sponsored. It will thus make the vehicle identification numbering system a far more effective device for dealing with the threat of theft and its associated violence.

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

Mr. Speaker, I rise in support of the substitute amendment offered by the gentleman from New York [Mr. SCHUMER] to H.R. 4542 the Anti-Car-Theft Act of 1992. He has been a vigorous leader in seeking to curb the increasing threat of theft.

At the outset I want to express my appreciation for the cooperative efforts of the gentleman in working out this agreement on legislation which is of great significance to the Committees on the Judiciary and to the Committee on Energy and Commerce, and even which our committees share jurisdiction, particularly with regard to the provisions in titles I, II, and III.

I also want to express my appreciation for the hard work of the gentlemen from Illinois [Mr. COLLINS], who chairs the Bill, the Committee on Commerce, Consumer Protection, and Competitiveness, and that of the ranking minority member. Mr. ALLEN McMILLAN. Their staffs also participated in this effort and they are to be commended for their patience, cooperation, and substantive input. In addition, I

CONGRESSIONAL RECORD—HOUSE  H11819
H11820  
CONGRESSIONAL RECORD—HOUSE  
October 5, 1992

want to express appreciation to Rep­resentative UPTON and other members of our committee for their help.

Mr. Speaker, I think that this compromise is a reasonable one. It will help to deal with the problem of car theft. It seeks to balance burdens on all of the affected industries and, in particular, it seeks to deal effectively with the concerns expressed by small businesses and auto makers. I believe it is workable and fair, and I expect the Attorney General and the Secretary of Transportation to be fair in their determinations and rules. The effectiveness of the stolen part information system established in section 609 should be of prime concern to the Attorney General in promulgating the section 607(b) regulations. I understand, for example, that in some cases vehicles may have parts with different VIN numbers. The Attorney General should consider the extent of this problem and provide reasonable solutions to all of us.

Mr. Speaker, I believe these changes are sound and helpful. Again, I want to commend Mr. SCHUMER for his efforts and I also want to commend his able staff.

I urge adoption of the amendment.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Illinois (Mrs. COLLINS), chairman of the subcommittee. (Mrs. COLLINS of Illinois asked and was given permission to revise and extend her remarks.)

Mrs. COLLINS of Illinois. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker. I rise in strong support of H.R. 4542, the Anti-Car Theft Act of 1992.

I want to commend the gentleman from New York (Mr. SCHUMER) for his leadership on the issue of car theft. I also want to commend the chairman of the Energy and Commerce Committee (Mr. DINGELL) for his hard work to improve the workings of the bill during its sequential referral to our committee.

I am a cosponsor of this legislation, and the Subcommittee on Commerce, Consumer Protection, and Competitiveness, which I chair, shares jurisdiction over the bill. I therefore want to thank the gentleman from North Carolina (Mr. MCMILLAN), who is the ranking minority member of our subcommittee for his contributions to this important legislation.

The bill we are considering is a compromise between H.R. 4542, as reported by the Committee on Energy and Commerce, and the version reported by the Judiciary Committee.

As a cosponsor of H.R. 4542, I strongly support its provisions to make carjacking a Federal crime, and to make it more difficult for car thieves to sell stolen automobiles. Our subcommittee has responsibility for the current Motor Vehicle Theft Prevention Program. When the Judiciary Committee completed its consideration of this bill, our committee had less than 2 weeks under the sequential referral to act. We immediately held a hearing on the bill, and just 1 week later the committee reported it out of committee. The bill that was considered by the committee was given permission to revise and extend its time. Mr. Speaker, I rise in strong support of H.R. 4542, the Anti-Car Theft Act of 1992.

The most shocking case involved a young mother, who was dragged 2 miles to her death during a carjacking in Savage, MD, and whose baby was literally thrown from the car. This has absolutely galvanized public opinion and outcry that this Congress act now to address this awesome despicable crime.

This bill would make carjacking a Federal crime with tough penalties, including a sentence of up to life in prison on if carjacking results in death. It would also make it illegal to operate a chop shop. Under this bill, the Secretary of Transportation is given authority to seek an injunction against the operation of a chop shop. More importantly, anyone convicted of knowingly operating a chop shop would be subject to not only a fine, but to a 15-year prison term.

Further, H.R. 4542 would create a much stronger, and more effective, parts marking program than that currently in operation. Currently, half of all passenger automobiles are subject to the parts marking requirement.
H.R. 4542 would immediately expand the number of vehicles subject to parts marking by including specialty vehicles, such as motorcycles, sport utility vehicles, and light trucks. Two years later, the number of vehicles required to be marked would be expanded to include the first 25 percent of the car lines that fall below the median theft rate threshold.

Three years after that, the last 25 percent of the car lines below the theft rate threshold would be subject to parts marking, unless the Attorney General determined the program was ineffective. Current authorities, to exempt certain car lines on which auto theft devices are installed would be continued.

Finally, this bill would require that insurance companies verify that junk or salvage vehicles are not reported as stolen, before they sell such vehicles to salvage firms or anyone else. Such verification would be passed on to the purchaser. Similarly, if a salvage firm sells a salvage vehicle that it has not obtained by legal means, the same kind of verifications would have to be made and passed on to the purchaser.

Mr. Speaker, I believe this bill will instill the needed operations which are one important reason car thefts in our country have skyrocketed. It also establishes strong penalties that should help reduce car theft, as well as provisions to promote uniform vehicle titles that would essentially level that should help law enforcement officials investigate car theft.

I urge my colleagues to vote for this bill.

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

Mr. SCHUMER. Mr. Speaker, I once again want to thank the gentleman from Wisconsin [Mr. BIDEN] for his support, and the gentleman from Michigan, [Mr. DINGELL] for his generosity and ability to sit down and compromise, as well as the gentleman from Illinois [Mrs. COLLINS], as well as the gentleman from New York and the gentleman from Michigan. I think this is a bill that will be a notable accomplishment of this Congress.

Mr. HOYER. Mr. Speaker, I rise today in strong support of H.R. 4542, the Anti-Car Theft Act. This legislation should be enacted, and I commend the chairman of the Judiciary Subcommittee on Crime, Mr. SCHUMER, and chairman BROOKS and DINGELL, for working so diligently to bring this timely legislation to the floor.

I doubt there are very many people in this area who have not heard about the young mother dragged to her death by carjackers. This senseless tragedy is but one of the many that have been occurring with increasing regularity of late as auto theft devices are now permeating suburban areas.

We have an opportunity, to play an active role in decreasing a rash of senseless violent crimes. FBI Director William Sessions has said that carjacking is a "violent crime that deserves the full attention of the FBI." We have a responsibility as federal legislators to assist in this effort and H.R. 4542, contains provisions that would accomplish this goal.

Carjacking is not just an impulsive, joyriding crime, but is often times motivated by profit. Titles I through III of the bill, contain provisions that will significantly reduce the profitability for car thieves and chop shop operators.

I am pleased however, that this compromise agreement relieve some of the regulatory burden from the shoulders of the automotive aftermarket industry. As legislators small businesses and their past should not be penalized for those who participate in criminal activities.

Mr. Speaker, we can no longer afford to allow car thieves who are perpetrating their crimes with increasing violence to profit financially on the innocent, the legislation is critical, it is timely and we owe it to our constituents to take an active role in combating this latest rash of violent crime.

Mrs. LOWERY of New York. Mr. Speaker, I rise in strong support of H.R. 4542, the Anti-Car Theft Act.

I am sure that I am not the only Representative that has received a constituent phone call from someone whose car was recently ripped off. Our constituents are angry at this wave of crime and they want something done about it now.

This legislation is absolutely critical if we are to strike back against the auto thieves and the carjackers. Last year, more than 1.7 million cars valued at $8 billion were stolen in the United States. In addition, the recent rash of carjacking endangers the lives of all Americans who own cars. In many cases, auto thieves have gotten away with murder.

This bill will enable us to make substantial progress in deterring auto theft. It will require new automobiles to have their parts marked with identification numbers. This simple move will enable law enforcement agencies to quickly trace stolen car parts.

The legislation will also make carjacking a Federal offense punishable by up to 15 years in jail. If body harm accompanies the carjacking, then the mandatory sentence is increased to 25 years in jail. And if the carjacking is accompanied by murder, the legislation will lock them up and throw away the key. This is a tough response to what has become a national problem. With brutal attacks occurring in broad daylight throughout the country, the Legislature must act.

Our constituents are demanding action, and action is what we have before us. I understand that the other body is expected to act on this bill before it is approved by the House. That being the case, I urge my constituents to support this legislation.

Mr. SADLER. Mr. Speaker, I rise in support of H.R. 4542, the Anti-Car Theft Act.

Auto theft is no longer confined to young people out looking for a vehicle for joyriding, it has evolved into carjacking—a version of auto theft that involves armed robbery of a vehicle while the driver is present—an extremely lucrative business in this country. Carjacking has become a high-growth industry that includes both professional thieves and parts shops that deal in stolen auto parts, manufacturing devices which can be worth up to 4 times as much as the car itself. And the crime is becoming more and more linked to violence—severe beatings, and even murder.

Every 22 seconds, an auto theft takes place. In 1991, 1.5 million vehicles were stolen here in the United States—55 percent more than in 1983. Auto theft accounts for almost 8 percent of the total property loss each year, and up to 88 percent of comprehensive car insurance premiums are a result of car theft. And the numbers continue to grow. Auto theft has become too easy and too profitable and presents a growing threat to both our property—and—more important—to our physical safety.

But, H.R. 4542 responds to our need to deal with this menace by making carjacking a Federal offense punishable by up to 25 years in prison; increasing Federal sentences for auto theft, providing start-up funding for computerized crosschecking of stolen vehicle departmental data so that States can cross check vehicles that have not already been accounted for; providing for a new federal law prohibiting the use of false identification numbers; and tightening the Customs Service's supervision of exported automobiles.
 Such a marking program will be effective—both as a deterrent for auto theft and as a tool for law enforcement to use in recovering stolen vehicles. At a cost of less than $5 per vehicle to mark parts, we cannot afford to do without this key weapon in auto theft.

I urge my colleagues to support the passage of H.R. 4542 under suspension of the rules to require the marking of auto theft. Nothing less will take the profit out of stealing cars.

Mr. CLEMENT. Mr. Speaker, several gristy car-jackings here in the Nation's Capital earlier this month have propelled H.R. 4542 to a vote in this House. Car theft has come home to my home district and the district of every member here.

Our colleague from New York, Mr. SCHUMER, deserves to be congratulated for his leadership on this issue. He has worked long and hard on this legislation. His proposal for a computerized national motor vehicle title information system recognizes that most car thefts are not for joy-riding, but for profit. They are fodder for the thief.

We face the modern day equivalent of cat-tie-rustling. Car parts, like cow parts, are easier to transport on the hoof. Stolen parts are valuable only when a chop shop takes them on. A newly rebuilt car is then resold to an unknowing consumer—at a price four or five times what it is worth. That leaves plenty of profit for the chop shop and the thief. This is a double-delinquent; the buyer is not only defrauded, but also made—albeit unwittingly—to pay the carjacker's salary.

I have seen how title-washing occurs. I recently distributed to members two copies of real certificates of title. One was issued by the State of Mississippi in September 1991. It plainly indicates that the vehicle was salvaged. I also distributed a certificate issued in November—just a few weeks later—by the State of Texas. The VIN on each certificate is identical. It's the same car. But the Texas title is clean as a whistle. To the consumer there is no indication that the car is salvaged or rebuilt and the consumer pays dearly for the absence of that information. This has got to stop—now.

Mr. Speaker, this bill establishes a task force to study this problem. It is estimated that this cost consumers $3 billion a year. In addition, consumers who unknowingly purchase junk vehicles face heightened risks of death or serious injury in accidents.

H.R. 4542 recognizes these lapses in State motor vehicle titling procedures that make it easy for chop shops and their customers to wash the salvage history off a vehicle's title. The bill establishes a task force to study this problem. Especially since it will take years before any new law will be operative. In addition, I would prefer to cut the chop shops down to size—now—using information and hard on this legislation. His proposal for a comprehensive piece of legislation that could make a real difference for the American people. We must renew the fight against crime in the next Congress. The facts are indisputable, the violent crime wave is getting worse and we must take aggressive action soon. It's a matter of life or death—literally. Surely, we can protect our people as well as, or better, than our cars. I can always get another car, but I can never replace a loved one's lost to a violent crime. We need tough anticrime legislation that punishes criminals and restores decency. The other way—the liberal way—doesn't work. The proof is everywhere.

Mr. Speaker, I urge my colleagues to support H.R. 4542, as amended.
the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

☐ 0600

GENERAL LEAVE

Mr. SCHUMER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 4542, the bill just passed.

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

There was no objection.

CONFERENCE REPORT ON H.R. 4016. COMMUNITY ENVIRONMENTAL RESPONSE FACILITATION ACT

Mr. SWIFT. Mr. Speaker, I move to suspend the rules and agree to the conference report on the bill (H.R. 4016) to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to require the Federal Government, before termination of Federal ownership of property, to notify the property owner, to identify real property where no hazardous substance was stored, released, or disposed of. The Clerk read the title of the bill. (For conference report and statement of conference agreement, see proceedings of the House of October 3, 1992, at page H 11181.)

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania [Mr. RITTER], Chairman of the Committee on Government Reform and Oversight, has 20 minutes, and the gentleman from Washington [Mr. SWIFT], 20 minutes.

The Chair recognizes the gentleman from Washington [Mr. SWIFT].

GENERAL LEAVE

Mr. SWIFT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous material, on H.R. 4016, the bill now under consideration.

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

There was no objection.

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

Mr. SWIFT. Mr. Speaker, today the House considers the conference report on H.R. 4016, the Community Environmental Response Facilitation Act. This bill was introduced by the Honorable Leon Panetta of California to address troubling situations that are occurring with increasing regularity as more Federal facilities are closed due to budget constraints. One need not look far to find examples of this. This results when a DOE plant or a military base closes. Such closures will become more numerous as the Department of Energy Program is downsized, and the budget deficit further constrains the breadth of Government activities.

The problem is twofold. First, as Federal facilities close, communities nearby are subjected to economic dislocation. The land, however, can be used for economic growth measures where Federal facilities have closed their doors. It amends the comprehensive environmental response, compensation and liability act to provide a sensible mechanism to allow State and local government to pursue economic growth measures where Federal facilities have closed their doors.

This approach is constructive, and should be modeled in future. However, it leads to the second problem, which is that many Federal facilities slated for closure are contaminated by hazardous substances or petroleum products, and require environmental response actions.

Thus, we are faced with a dilemma: closed or soon-to-be-closed Federal facilities could supply inexpensive land for future development; but environmental and public health concerns brought on by preexisting contamination must be addressed before that can happen.

H.R. 4016 steps into the breach to provide a sensible mechanism to allow State and local government to pursue economic growth measures where Federal facilities have closed their doors. It amends the comprehensive environmental response, compensation and liability act (CERCLA) to expedite the identification of uncontaminated Federal land so it can be transferred for non-Federal use.

This bill sets up a process within CERCLA by which Federal agencies with jurisdiction over property slated for closure can evaluate and identify uncontaminated property within a facility. When this is done, the agency involved will seek concurrence from the EPA Administrator; for properties not on the NPL, concurrence must be given by the appropriate State official. Once concurrence is given, or deemed given, the property may be transferred and redeveloped for the benefit of the community.

H.R. 4016 does one other thing. Perhaps most importantly, the bill provides that if concurrence is not given within 30 days from when the transfer is to occur, the responsible party must be indemnified and held harmless. This is a sensible, bipartisan, good-government bill. It is procommunity and proenvironment. It protects the integrity of the environmental statutes while providing a vehicle for responding to economic problems in communities.

I appreciate and commend the constructive efforts of the ranking member of the subcommittee and his staff that clearly addresses a critical issue in a timely fashion. I also wish to commend the good work of the sponsor, Mr. Panetta, and thank him for his assistance in this process.

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

Mr. SWIFT. Mr. Speaker, today the House considers the conference report on H.R. 4016, a bill to amend the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)—better known as superfund.

Mr. Speaker, this legislation is a good example of bipartisan cooperation in clearly identifying a problem and tailoring legislation to address the specific issue. I believe this demonstrates a constructive response to environmentally issues in a more thoughtful fashion when we do not force everything into huge, megabills. And I want to thank my good friend, the gentleman from Washington [Mr. Swift], for his leadership in moving this legislation originally introduced by the gentleman from California, Mr. Panetta.

The goal of this legislation is to break the logjam at closing government facilities to free up clean property for productive use. Expeditious property transfers are especially important for the people in the communities near these facilities. Many communities frequently see the best hope for economic survival in quickly converting the closed facility to productive new uses.

This legislation seeks to speed up the transfer of property that is not contaminated by clarifying the process of distinguishing uncontaminated land from areas of contamination. The conference report contains provisions from the Senate bill that establish special procedures and timetables for military bases closed under the various base closure laws.

The conference report contains important language indicating that this legislation is not meant to duplicate efforts already undertaken by the Department of Defense or other agencies. Instead, this legislation is a key part of the process to ensure that when a Department of Defense facility is being closed, coordination is necessary after the date such property is transferred shall remain the responsibility of the U.S. Government.

This is a sensible, bipartisan, good-government bill. It is procommunity and proenvironment. It protects the integrity of the environmental statutes while providing a vehicle for responding to economic problems in communities.

I appreciate and commend the constructive efforts of the ranking member of the subcommittee and his staff that clearly addresses a critical issue in a timely fashion. I also wish to commend the good work of the sponsor, Mr. Panetta, and thank him for his assistance in this process. In addition, another body has shared in a bicameral commitment to addressing this issue; their work has been excellent. This is a timely, well-thought-out conference report for which I urge my colleagues' strong support.

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

Mr. SWIFT. Mr. Speaker, I rise in support of the conference report on H.R. 4016, a bill to amend the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)—better known as superfund.

Mr. Speaker, this legislation is a good example of bipartisan cooperation in clearly identifying a problem and tailoring legislation to address the specific issue. I believe this demonstrates a constructive response to environmentally issues in a more thoughtful fashion when we do not force everything into huge, megabills. And I want to thank my good friend, the gentleman from Washington [Mr. Swift], for his leadership in moving this legislation originally introduced by the gentleman from California, Mr. Panetta.

The goal of this legislation is to break the logjam at closing government facilities to free up clean property for productive use. Expeditious property transfers are especially important for the people in the communities near these facilities. Many communities frequently see the best hope for economic survival in quickly converting the closed facility to productive new uses.

This legislation seeks to speed up the transfer of property that is not contaminated by clarifying the process of distinguishing uncontaminated land from areas of contamination. The conference report contains provisions from the Senate bill that establish special procedures and timetables for military bases closed under the various base closure laws.

The conference report contains important language indicating that this legislation is not meant to duplicate efforts already undertaken by the Department of Defense or other agencies. Instead, this legislation is a key part of the process to ensure that when a Department of Defense facility is being closed, coordination is necessary after the date such property is transferred shall remain the responsibility of the U.S. Government.

This is a sensible, bipartisan, good-government bill. It is procommunity and proenvironment. It protects the integrity of the environmental statutes while providing a vehicle for responding to economic problems in communities.

I appreciate and commend the constructive efforts of the ranking member of the subcommittee and his staff that clearly addresses a critical issue in a timely fashion. I also wish to commend the good work of the sponsor, Mr. Panetta, and thank him for his assistance in this process. In addition, another body has shared in a bicameral commitment to addressing this issue; their work has been excellent. This is a timely, well-thought-out conference report for which I urge my colleagues' strong support.

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