

# Legislative Activity in the 95th Congress Related to Resource Recovery, Recycling, and Reuse

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uring the 95th Congress a number of bills were introduced that gave consideration to resource recovery, recycling, and reuse. This appendix discusses key features of those that were not passed. (See chapter 2 and appendix A for discussions of those that became law.) The bills discussed in this appendix are identified in table R1.

## Materials Policy

Two bills introduced during the 95th Congress would establish a materials policy for the United States by creating a materials research and development capability. These bills would encourage private industry to develop low-cost products and processes to promote the efficient use and reuse of materials; to minimize processing costs; to minimize the energy required for the processing, fabrication, and recycling of materials; and to reduce the dissipation through waste or pollution of useful materials with particular attention to those that are irreplaceable or scarce. H.R. 34 introduced by Representative Teague on January 4, 1977, and H.R. 10859, introduced by Representative Thornton with one cosponsor on February 8, 1978, are similar pieces of legislation. These were both entitled the "National Materials Policy, Research, and Organization Act."

Hearings were held on national materials policy by the House Science and Technology Committee, Subcommittee on Science, Research, and Technology, during July 1977 with emphasis on H.R. 34, and during March

1978 with emphasis on H.R. 10859. Hearings were also held by the Senate Committee on Commerce, Science, and Transportation, Subcommittee on Science, Technology, and Space, in July 1977 on the general subject of national materials policy.

On February 28, 1978, Representative Hollenbeck and one cosponsor introduced H.R. 11203, the "National Materials Technology Research and Policy Planning Act of 1978." It was introduced as a follow-on bill designed to "place the research and development promoted by H.R. 10859 within the context of long-range planning and policymaking for the production, distribution, and consumption of materials, including fuels." Like H.R. 10859 and H.R. 34, one goal of H.R. 11203 is to promote the efficient use and reuse of materials.

## Beverage Container Deposits

A number of bills that would establish mandatory, nationwide, minimum beverage container deposits were introduced during the 95th Congress. On January 4, 1977, Representative Jeffords introduced two identical bills, H.R. 936, with 24 cosponsors, and H.R. 937, with 3 cosponsors, which would require refund values for certain beverage containers. These bills were reintroduced by Mr. Jeffords as H.R. 5582, H.R. 7155, H.R. 7886, H.R. 8788, H.R. 10047, and H.R. 13393, bringing the number of cosponsors in the House of Representatives to around 62 members. In addition, an identical bill, H.R. 8856, was introduced in the House of Representatives by

**Table B-1.—Bills Related to Resource Recovery, Recycling, and Reuse  
Introduced But Not Passed During the 95th Congress**

Bill identification	Identification number		Sponsor	D	Status as of November 1978
	House	Senate			
To establish a materials policy for the U. S., to create a materials research and development capability, and to provide an organizational structure.	H.R. 34		Teague (Tex.)	1/4/77	Referred to Committee. Hearings held.
To provide additional assistance to ERDA for advancement of nonnuclear energy research, development, and demonstration, including biomass conversion.	H.R. 36		Teague (Tex.)	1/4/77	Referred to Committee. No further action.
To provide loan guarantees through ERDA for biomass demonstration facilities.	H.R. 37	—	Teague (Tex.)	1/4/77	Referred to Committee. No further action.
To ban interstate sale of nonreturnable beverage containers.	H.R. 873	—	Fish (N. Y.)	1/4/77	Referred to Committee. No further action.
To require refund values for certain beverage containers.	H.R. 936	—	Jeffords (Vt.)	1/4/77	Referred to Committee.
	H.R. 937		"	1/4/77	
	H.R. 5582			3/24/77	
	H.R. 7155		"	5/12/77	
	H.R. 7886		"	6/20/77	
	H.R. 8788	—	"	8/4/77	
	H.R. 10047	—	"	1 114/77	
	H.R. 13393	—	"	7/10/78	
	—	S. 276	Hatfield (Ore.)	11/18/77	Referred to Committee. Hearing held.
	H.R. 8856	—	Ichord (Me.)	8/5/77	Referred to Committee.
To amend the Internal Revenue Code of 1954 to provide reasonable and necessary income tax incentives to encourage the utilization of recycled solid waste materials and to offset income tax advantages which promote depletion of virgin natural resources.	H.R. 1077	—	Murphy (N. Y.)	1/4/77	Referred to Committee.
	H.R. 2772	—	Broomfield (Miss.)	2/1/77	No further action.
To provide technical and financial assistance for the development of management plans and facilities for the recovery of energy and other resources from discarded materials.	H.R. 1214	—	Roe (N. J.)	1/4/77	Referred to Committee. No further action.
To establish a program to provide assistance to local governments for solid waste disposal programs.	H.R. 10009	—	Patterson (Calif.)	11/3/77	Referred to Committee.
	H.R. 10887	—		2/9/78	No further action.
To establish a materials policy for the U. S., to create a materials research and development capability, and to provide an organizational structure. (Revision of H.R. 34.)	H.R. 10859	—	Thornton (Ark.)	2/8/78	Referred to Committee. Hearings held.
To provide context of long-range planning and policymaking for production, distribution, and consumption of materials, including fuels. Follow-on to H.R. 10859.	H.R. 11203	—	Hollenbeck (N. J.)	2/28/78	Referred to Committee.
Section 8 of bill would provide for study and investigation of all materials relating to the proper role of Government in encouraging the recycling of solid waste materials.	—	s. 17	McIntyre (N. H.)	1/10/77	Referred to Committee. No further action.

Congressman Ichord on August 5, 1977. A companion bill, S. 276, requiring a refund value for certain beverage containers, was introduced in the Senate by Senator Mark Hatfield and nine cosponsors on January 18, 1977.

All of the above mentioned bills were referred to as the "Beverage Container Reuse and Recycling Act of 1977." Hearings were held on S. 276 by the Senate Committee on Commerce, Science, and Transportation, Subcommittee on Consumer Affairs, in January 1978. Testimony was received from Members of both the House of Representatives and the Senate along with representatives of industry, labor, environmental groups, State and local governments, and the executive branch.

In addition, hearings were held in August 1978 by the House Committee on Interstate and Foreign Commerce, Subcommittee on Transportation and Commerce, to review several governmental and private studies on mandatory beverage container deposits. These hearings did not focus on any particular bill but rather gathered information on the issue.

### **Ban Nonreturnable Beverage Containers**

R. 873, introduced by Representative H. Fish on January 4, 1977, would ban the interstate sale of nonreturnable beverage containers. The bill's stated purpose is to reduce pollution caused by litter composed of soft drink and beer containers, and to eliminate the threat posed by such containers to the Nation's health, safety, and welfare.

### **Tax Incentives for Recycling Waste Products**

Two bills would provide tax incentives for recycling waste products. Both H.R. 1077, introduced by Representative Murphy on January 4, 1977, and H.R. 2772, intro-

duced by Representative Broomfield on February 1, 1977, would amend the Internal Revenue Code of 1954 to provide reasonable and necessary tax incentives to encourage utilizing recycled solid waste materials and to offset existing income tax advantages that promote depletion of virgin natural resources. Both bills were referred to the House Ways and Means Committee where no further action was taken.

On January 10, 1977, Senator McIntyre and two cosponsors introduced S. 17, which would amend the Internal Revenue Code of 1954 to provide income tax incentives for the conservation of energy used to heat or cool residences and commercial buildings and for the utilization of renewable fuel energy sources. Specifically section 8 of the bill would provide for a thorough and complete study and investigation of all materials relating to the proper role of the Government in encouraging the recycling of solid waste materials. This bill, entitled the "Renewable Energy and Energy Conservation Tax Act of 1977," was referred to the Senate Committee on Finance where no further action was taken.

### **Energy Recovery**

Several bills would provide assistance to the Department of Energy (DOE) for energy recovery. H.R. 36, introduced by Representative Teague on January 4, 1977, would provide additional assistance to DOE for the advancement of nonnuclear energy research, development, and demonstration, including biomass conversion. Teague also introduced H.R. 37 on January 4, 1977, which would provide loan guarantees through DOE for biomass demonstration facilities not to exceed a total outstanding indebtedness of \$300 million. No action was taken on either bill.

H.R. 1214, introduced on January 4, 1977, by Representative Roe, would provide technical and financial assistance for the development of management plans and facilities for the recovery of energy and other resources

from discarded materials. This bill was referred to the House Interstate and Foreign Commerce Committee.

### **Solid Waste Product Charge System**

Two identical bills introduced by Representative Patterson, H.R. 10009 on November 3, 1977, and H.R. 10887 on February 9, 1978, with five cosponsors, would establish a program to provide assistance to local governments for solid waste disposal. The purpose of the bills is to establish a national solid waste product charge system that would: (i) alleviate the financial burden that the rapid increase in solid waste management costs have imposed on local government; (ii) pro-

vide incentives for the establishment of markets for materials recovered from solid waste; (iii) internalize the costs of collecting, transporting, and disposing of materials by producers and consumers; and (iv) provide adequate time for producers and consumers to adjust their production and consumption practices. The charge would be placed on the sale or transfer at the bulk production level of rigid containers, flexible packaging, and all paper products with the exception of building, construction, and industrial grades. The initial base charge would include a charge of 1.3 cents per pound of paper and flexible packaging (\$26 per ton) and a charge of 0.5 cent per container for rigid containers (\$5 per thousand containers). The charge would be implemented over a 10-year period and would be revised periodically to reflect changes in solid waste management costs.