



NATIONAL  
SOFT DRINK  
ASSOCIATION

1101 Sixteenth Street, NW  
Washington, DC 20036  
202/463-6732  
Telex: 5101004811  
Facsimile: 202/463-6731

October 24, 1991

The Honorable Robert Dole  
United States Senate  
Washington, D.C. 20510

Dear Senator Dole:

Thank you for accepting our invitation to address our annual membership meeting of the National Soft Drink Association on Thursday, October 31, 1991, at the Hyatt Regency Hotel on Capitol Hill.

As discussed with your staff, your remarks are scheduled for 1:00 p.m. at our luncheon meeting in the Ticonderoga/Yorktown Ballrooms. We would be pleased if you could join us for lunch as well, which begins at noon in the same room. We are currently anticipating attendance of approximately 250, which will consist primarily of soft drink bottlers and industry executives from around the country.

I know that our group would appreciate hearing from you concerning those issues before the Senate and the Nation which are of primary concern to you as Minority Leader. For your reference, I have enclosed some background information on a few issues of importance to the soft drink industry.

Again, we are grateful for your consenting to be with us for this important meeting, and we look forward to extending a warm welcome to you next week.

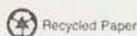
Warmest regards.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bill", is written over a horizontal line.

William L. Ball, III  
President

Enclosures



## OPPOSE S.1318

### “National Beverage Container Reuse and Recycling Act” by Senators Hatfield, Packwood and Jeffords

---

#### Major Provisions of S. 1318

- Imposes a national, 10-cent refundable deposit on soft drink, beer, mineral water, bottled water, wine, fruit juice, juice drink, malt beverage, mixed beverage, distilled spirit, mixed spirit drink, or mixed wine drink containers.
- Requires wholesalers or distributors to charge retailers the deposit. Distributors then turn the deposit over to states for the establishment of a fund from which individuals returning the containers would be reimbursed the deposit.
- Requires that unclaimed deposits become the property of the state and that they serve as the source of funds to pay retailers a 2-cent per container handling fee.
- Requires the deposit value to be clearly marked on beverage containers and covers beverages sold in vending machines.
- Allows EPA to exempt states achieving a beverage container recycling/reuse rate of 70%, sustained over an 18-month period, within four years of enactment of the bill. Beverages include all water, alcohol, soft drink and fruit juice products.
- Allows states with existing deposit laws to petition EPA for exemption from the bill's requirements, but requires state deposit laws to conform with minimum requirements. For example, a 10-cent deposit and the establishment of a state fund to collect and refund deposits as well as pay a 2-cent per container handling fee. Again, beverages include all water, alcohol, soft drink and fruit juice products.
- Requires these state plans to also include a prohibition on post-redemption disposal of covered beverage containers in a landfill or any other solid waste facility. This section further requires retailers to redeem containers or cooperate in the establishment of redemption centers within a 1/2-mile radius of the retailer.
- Becomes effective two years after the date of enactment.

*For more information, contact National Soft Drink Association  
Federal Affairs Division, 202/463-6740.*

News Release

# NSDA

## The National Soft Drink Association

For Release: August 26, 1991

Information contact:

Jim Finkelstein or  
Shelly Etherton at  
202/463-6770

---

SOFT DRINK CONTAINER RECYCLING REACHES RECORD HIGH:  
52% MARK MAKES INDUSTRY AMERICA'S RECYCLING LEADER

WASHINGTON, DC—Soft drink containers, already America's most recycled packaging, captured another recycling victory by reaching a record recycling rate of 52% in 1990.

Through a variety of programs, Americans recycled 36.7 billion soft drink containers in 1990—about 5 billion more than in 1989, or 146 containers for every man, woman and child in the U.S. By recycling soft drink containers, recyclers and municipalities earned revenues to operate recycling programs and help offset collection costs for less valuable recyclables. Additionally, millions of tons of valuable soft drink containers were diverted from landfills.

"The soft drink industry is America's recycling leader," says William L. Ball, III, President of the National Soft Drink Association. "Most of our bottlers currently support some type of community recycling program, and about 60% of soft drink bottlers have an in-plant recycling program in place."

In addition, the National Soft Drink Association (NSDA), through a grant program called Localized Assistance, has funded educational and promotional campaigns and provided technical assistance to numerous recycling programs across the country.

Today there are more than 2,700 municipal curbside recycling programs in operation. Many of these programs earn as much as 70% of their scrap revenue from beverage containers.

"Soft drink containers are the financial backbone of comprehensive multi-material recycling programs," says E. Gifford Stack, Vice President for Solid Waste Programs at NSDA. "And beyond recycling, our industry is meeting the Environmental Protection Agency's number one solid waste

—more—

Page Two

management priority of waste reduction through dramatic achievements in lightweighting our containers.”

NSDA, the national trade association of the soft drink industry, is committed to promoting comprehensive waste management solutions. Since the early 1970's, consumers have recycled more than 250 billion soft drink containers. Today, soft drink containers are America's most recycled packaging.

For more information on soft drink container recycling and the NSDA Localized Assistance Program, or for general information on promoting recycling in your local communities and schools, contact the National Soft Drink Association Communications Division at 202/463-6770.

-NSDA-

# Why a national bottle bill would be a solid waste.

Three recycling experts share their story.



*Jim Ulveling is the Director of the Carroll County Solid Waste Management Commission in Iowa.*



*Joseph Moss is the Director of Public Services for the City of Wilton Manors, Florida.*



*Toby Goodrich is the Recycling Coordinator for the Southeastern Connecticut Regional Resources Recovery Authority.*

“Many of Iowa’s legislators think our deposit law is working just fine. If they looked harder, they’d see the financial harm caused when beverage containers never become part of the comprehensive recycling stream. Without these containers, our materials recovery facility, like others in Iowa, must rely on much larger tax subsidies.”

“In Florida, we are two-thirds of the way to meeting our solid waste reduction goal. A bottle bill that targets only 3.5% of the waste stream would remove the most valuable materials we collect in our recycling program – beverage containers. Even worse, it could reduce the overall participation rate by sending a mixed message to recycling-smart Floridians.”

“Connecticut’s bottle bill is not helping our burgeoning comprehensive recycling system. In fact, it’s doing grave damage by diverting valuable beverage containers from our materials recovery facility. In my opinion, this region’s recycling program is logical, low-cost and convenient. The bottle bill is inconvenient, illogical and a nuisance.”

**nsda**  
NATIONAL SOFT DRINK ASSOCIATION

**Soft drink containers. America’s most recycled packaging.**

For a brochure with recycling information and views of other recycling experts, call NSDA at 202-463-6770.

October 2-3, 1991

# NSDA NewsClips

THE STAR-LEDGER, Tuesday, September 24, 1991

Newark, New Jersey

## 2 of 7 original bottle bill sponsors now say legislation isn't needed

By TOM JOHNSON

The first legislative hearing on bottle bills in seven years opened yesterday with two sponsors of the initiative disavowing the beverage container deposit measure as a way New Jersey can achieve its ambitious recycling goals.

"A beverage container deposit bill is one of those things whose time has come and gone," said Assemblyman Arthur Albohn (R-Morris), who has sponsored various bottle bills for the past decade.

Albohn told the Assembly Waste Management Committee that he believed recycling in New Jersey has progressed far enough—the state recently achieved a statewide rate of 43 percent—to abandon efforts to pass a bottle bill.

"Now is the time to re-emphasize recycling and not defeat it by passing a deposit bill that could hinder it," Albohn said.

Assemblyman Robert Shinn (R-Burlington), another original sponsor, agreed with Albohn. "We're not recycling enough, but I don't think we're going to get there with a deposit bill."

Of seven legislators sponsoring bottle bills, Albohn and Shinn were the only ones to withdraw support for enacting a deposit law. The committee took no action on the bills, which would impose deposits ranging from a nickel to 25 cents per container.

Assemblyman Harry McEnroe (D-Essex), chairman of the committee, who has been the target of a postcard campaign to act on deposit legislation, said the issue is of "great public interest" but made no pledges to post any bill in the future.

Much of yesterday's hearing centered on a debate over whether a deposit law in New Jersey would complement the state's curbside recycling and source separation programs or hinder efforts to achieve a statewide 60 percent recycling rate.

Proponents of the bottle bill argued that despite the tremendous success of the state's mandatory recycling law—which requires that aluminum cans, glass bottles and newspapers be recycled—New Jersey will never meet the ambitious 60 percent statewide rate without a deposit law.



Photo by Frank DiGiacomo

Assemblyman Arthur Albohn (R-Morris) drops support for a beverage container deposit bill

Nine states have deposit laws. Frank Sudol, director of engineering for the city of Newark, noted that in New York, where a deposit law is in effect, the recycling rate for plastics is 60 percent compared to the 2 percent rate in New Jersey.

He argued that a deposit law will provide an economic incentive for consumers to recycle. Otherwise, New Jersey will never meet the recycling

rates for specific materials set by a special gubernatorial task force, Sudol said. The task force recommended that glass be recovered at a 90 percent rate, plastics at a 60 percent rate and bimetal containers at an 85 percent rate.

Special interests have kept meaningful dialogue on bottle deposits from being heard for six years," said Judith Stewart, a lobbyist for the New Jersey Public Interest Research Group. She argued that a beverage bill would take financial burdens of recycling off municipalities.

"New Jersey's municipalities cannot afford to recycle alone," Stewart said. "The industry that produces these wasteful disposable containers should take responsibility for their recycling."

Pat Franklin, executive director of the Washington, D.C.-based Container Recycling Institute, told the committee that 95 percent of the plastic beverage containers being recycled today come from states with deposit laws.

She also described as a myth the argument that taking glass and plastic beverage containers out of New Jersey's curbside recycling program would hurt other aspects of the collection system. Franklin said it costs more to collect and pick up glass and plastic recyclable containers than it yields in revenue for local towns.

Industry opponents continued to call a deposit system unnecessary and a burden to retailers, based on the experiences of other states.

"It wasn't needed 20 years ago. It wasn't needed 10 years ago and it's not needed today," said James Morford, a lobbyist for the New Jersey State Chamber of Commerce.

**MONDAY, OCTOBER 21, 1991**

# USA TODAY

**No. 1 IN THE USA . . . 6.6 MILLION READERS A DAY**

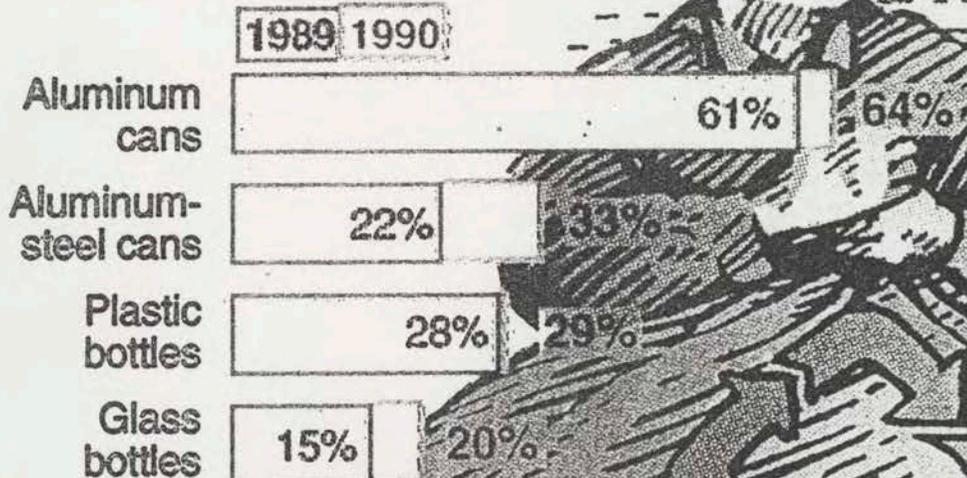
## USA SNAPSHOTS®

A look at statistics that shape the nation

### Recycling containers

Percentage of cans and bottles recycled:

Containers    Recycling rates



Source: National Soft Drink Association

U.S. NEWS

# All-American brawl

*The title bout: Washington vs. the states for the right to rule your life*

It used to be that only liberals demanded tough federal regulation. And only conservatives insisted that Washington not intrude on matters best left to the states. Not anymore. A little-noticed, but severe, outbreak of hypocrisy has overtaken national politics.

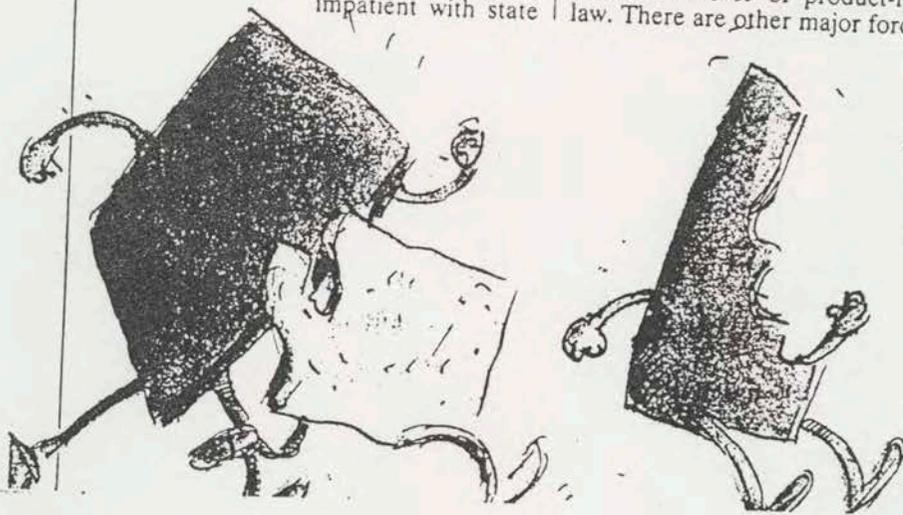
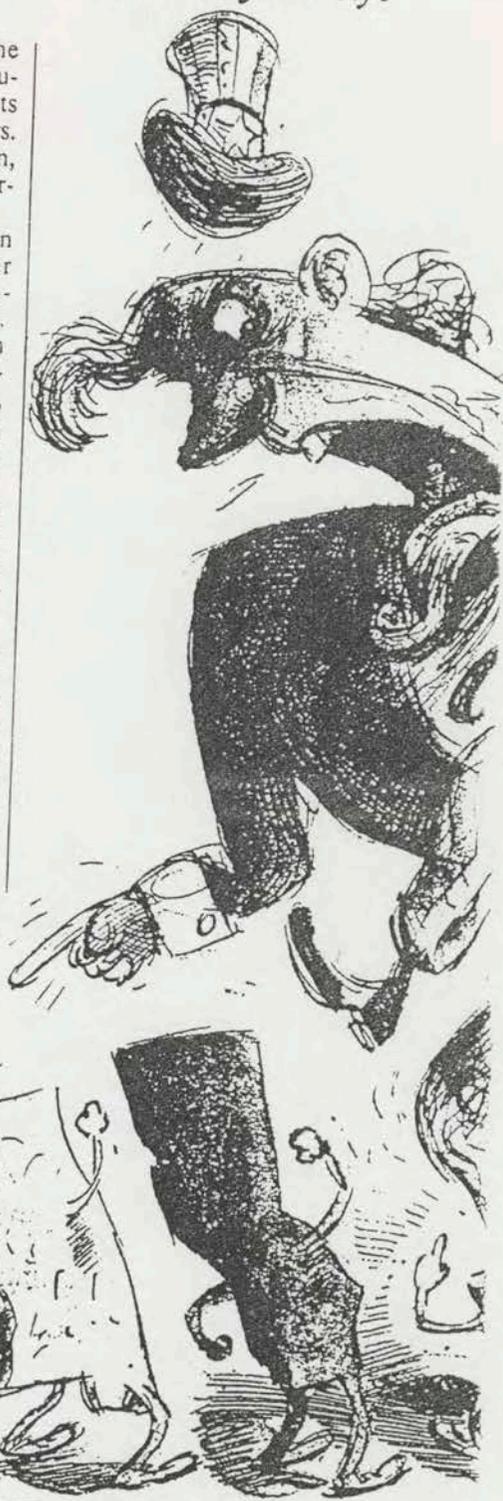
These days, it's Democrats who defend states' rights because states have the most fervent regulators; Republicans want rules written by conservative federal officials to override or pre-empt state regulations. This odd flip-flop might be merely a political curiosity if not for the fact that it directly affects everybody who eats fruits, vegetables or tuna fish, insures a car, a home or a life, needs a bank loan, has a pension plan, creates garbage, uses lawn chemicals or breathes air. All these areas are being reshaped by a host of regulatory battles between the states and Washington, D.C. State officials now fear that their ability to set environmental and consumer standards might be compromised by the upcoming round of trade talks recently sanctioned by Congress.

Though often framed in lofty rhetoric, this battle is not really about governing principles. Rather, it is driven by competing interest groups that advance their agendas by playing the states and Washington against each other. In the 1960s, it was the ruling liberals in Washington, impatient with state

inaction on civil rights, health and the environment, who pushed federal regulations—despite vociferous complaints from conservatives and business leaders. In the 1980s, the Reagan administration, eager to help corporations, slowed federal regulation to a crawl.

But the Reagan plan backfired when liberal environmental and consumer groups persuaded Democratic-controlled state governments to reregulate. The result: dozens of new state laws on everything from auto warranties to indoor air pollution. In 1986, for instance, California voters passed Proposition 65, requiring disclosure of the negative health effects of some 470 different chemicals in products ranging from shoe polish to canned soup. By contrast, the federal government requires warnings for only a handful of chemicals. Potentially, industries face not only tougher regulations but 50 versions of the rules.

**Look who loves Uncle Sam.** Now, it is business leaders who want Uncle Sam to meddle in state affairs. State laws, they say, are "balkanizing" the U.S. market and must be nullified by the federal government for the sake of global competitiveness. That argument is getting a respectful hearing in Congress. Even the National Governors' Association has joined a conservative chorus calling for federal takeover of product-liability law. There are other major forces in



U.S. NEWS & WORLD REPORT, JUNE 10, 1991

(next page, please) Page 8 of 15

industry's favor: The Constitution grants Congress the power to override a wide range of state laws and regulations, and Washington's elected officials politically owe less and less to state and local parties and groups—and more and more to industry groups and their contributions.

Still, liberals have weapons against efforts to undermine state regulations. The fights in coming months will include:

■ **Food.** In the early Reagan years, food and chemical companies heaved a collective sigh of relief as the Environmental Protection Agency eased up on regulating agricultural pesticides. Their peace was soon broken, however, by the sound of state regulators scribbling away. California joined several other states in banning the suspected carcinogens EDB and Alar. That helped motivate industry to cooperate on several federal bills pending this summer that would toughen regulations on pesticides and revamp the licensing of chemicals (see following story). But industry lobbyists

insist that the new laws must nullify state pesticide regulations. Meanwhile, environmental groups, their memories of the EPA's apostasy still fresh, want states to retain their regulatory powers.

There has been a similar food fight over what companies should or should not say about such things as the fat content of their products. The food industry fought off mandatory federal nutrition labeling until 1989, when three states considered passing their own labeling laws. Suddenly, the industry reversed itself and backed a nutrition bill in Congress—so long as it overrode all state laws. John Cady, president of the National Food Processors Association, began sounding like Ralph Nader: "The consumer across the country needs to be fully informed across the board."

The nutrition bill threw the Bush administration into some turmoil. Federalist advocates in the White House first thought they killed the plan, but then free marketeers, who care nothing for states' rights, eventually prevailed. The measure also drove consumer champions into a world-class turnabout. "We had not traditionally embraced the cause of states' rights," recalls Bruce Silverglade, legal director of Center for Science in the Public Interest. But consumer advocates quickly learned how to talk like Republicans. An internal position paper instructs members to use traditional conservative buzzwords like "federalism."

The Nutrition Labeling and Education Act, which the president signed last fall, was a muddled compromise, granting

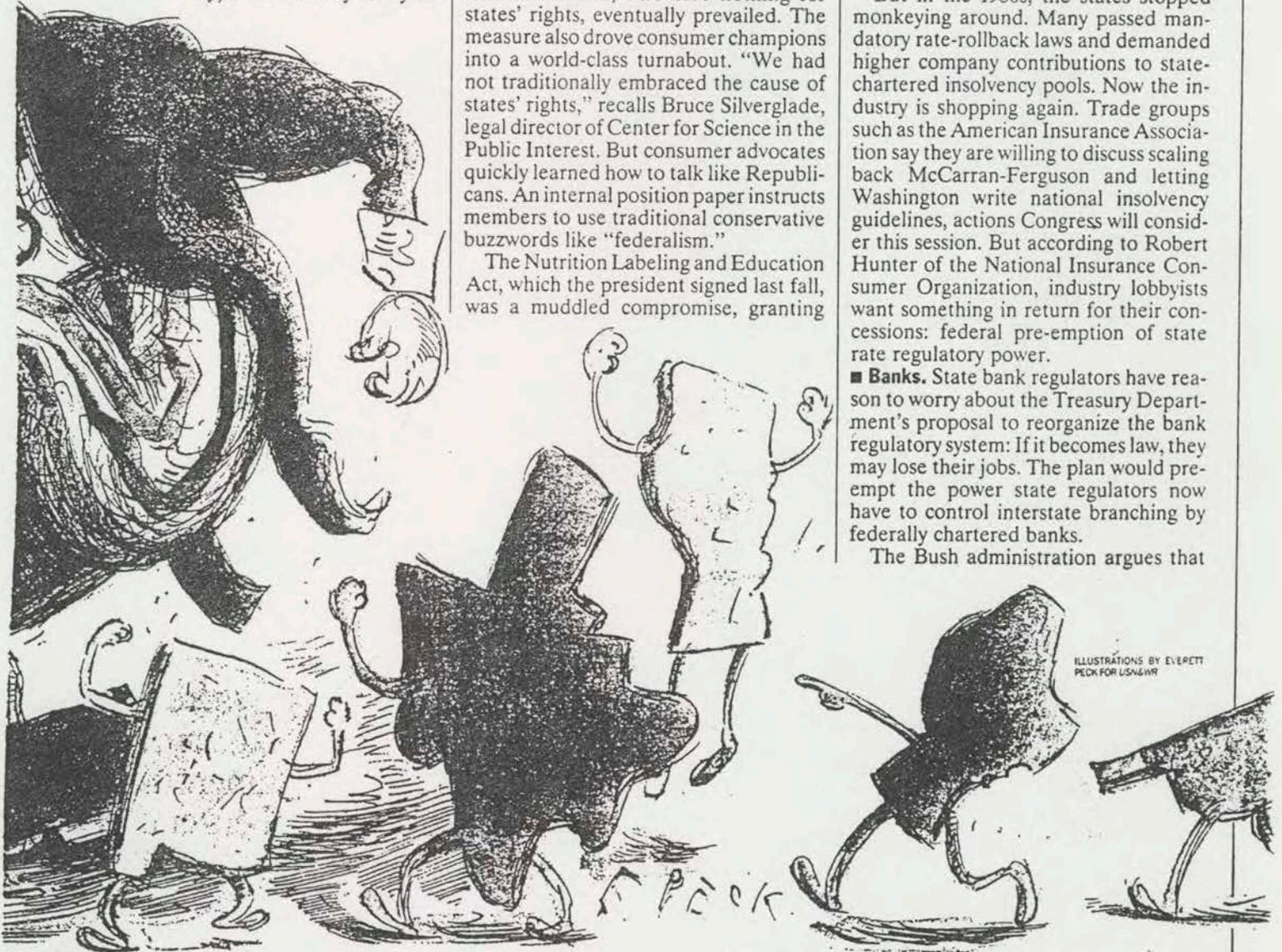
states some regulatory powers, denying them others. More labeling battles are underway over two bills, one requiring warning signs on chemically sprayed lawns, the other setting standards for using terms like "recyclable" on products.

■ **Insurance.** For more than a century, insurers have perfected the art of "forum shopping"—endorsing the level of government that promises the lightest regulation. From 1865 until 1944, the industry pleaded for federal pre-emption of state regulations it regarded as too aggressive. When Washington finally considered regulating insurance by removing its exemption from antitrust laws, the industry had a sudden change of heart and pushed through the 1945 McCarran-Ferguson Act, protecting the exemption. The industry's opposition to any federal role was neatly summed up by an insurance executive who told a federal investigator in 1979: "Would you rather be regulated by 50 monkeys or King Kong?"

But in the 1980s, the states stopped monkeying around. Many passed mandatory rate-rollback laws and demanded higher company contributions to state-chartered insolvency pools. Now the industry is shopping again. Trade groups such as the American Insurance Association say they are willing to discuss scaling back McCarran-Ferguson and letting Washington write national insolvency guidelines, actions Congress will consider this session. But according to Robert Hunter of the National Insurance Consumer Organization, industry lobbyists want something in return for their concessions: federal pre-emption of state rate regulatory power.

■ **Banks.** State bank regulators have reason to worry about the Treasury Department's proposal to reorganize the bank regulatory system: If it becomes law, they may lose their jobs. The plan would preempt the power state regulators now have to control interstate branching by federally chartered banks.

The Bush administration argues that



ILLUSTRATIONS BY EVERETT PECK FOR USA TODAY

## ■ U.S. NEWS

this will help U.S. banks compete internationally. But state officials contend that larger U.S. banks will gobble up smaller ones and use deposits to chase global investments rather than lend to local businesses. Kenneth Littlefield of the Conference of State Bank Supervisors calls the plan a "radical, unprecedented deregulation [that] totally ignores the potential impacts." Siding with the states are community activists who rely on state regulators to keep loans flowing to lower-income neighborhoods.

■ **Garbage.** As the nation's landfills overflow, some states, especially in the Northeast, have taken to transporting their refuse to less populated states, primarily in the South and Midwest. The result is a pre-emption issue so confusing you need a score card.

much of the interstate trash dumping.

■ **Trade.** One of the little-noticed but potentially crucial aspects of the recent decision of Congress to give the Bush administration sweeping authority to negotiate two major international trade agreements is how they might affect states' regulatory powers. Critics say the trade negotiations include a conservative plot to undermine health and environmental laws that corporations find burdensome. "It's a way of achieving in Geneva [in worldwide trade talks] what they couldn't achieve on Capitol Hill," says Nancy Watzman of the liberal lobby Congress Watch. For instance, in negotiations to revise the rules of the General

States bans tuna imports from Mexico because Mexican fishermen use netting practices that kill tens of thousands of dolphins. Mexico is arguing in a GATT tribunal that the tuna embargo is a "non-tariff barrier." The Canadian government is similarly charging that the U.S. ban on asbestos violates the U.S.-Canada free trade agreement. And a federal court will soon rule whether a Louisiana law banning hazardous-waste shipments from foreign countries is pre-empted by a U.S.-Mexico trade agreement.

Consumer and environmentalist groups argue that America is too diverse to deny states regulatory powers. Southern California really does have a tougher smog problem than other parts of the country, which is why the Clean Air Act has allowed California to set much higher auto emissions standards. Now Detroit, unwilling to abandon the California market, is sinking billions of extra dollars into pollution-control technology, which could have benefits



Republican Sen. Dan Coats of Indiana, whose state is getting dumped on, is sponsoring a bill that would allow states to ban out-of-state trash. A states' rights conservative in the mold of Dan Quayle, whose old Senate seat he now occupies, Coats has some liberals in his camp. Among them: Indiana's Democratic Gov. Evan Bayh and environmental groups, which see bans as a way to promote recycling.

But Coats's ties to Quayle have not earned him White House support. The Bush administration sides with the waste-management industry in opposing the bill as an unwarranted obstacle to interstate commerce. New Jersey's Sen. Bill Bradley and Gov. James Florio—allies of environmentalists on other fronts—also oppose the Coats bill. It so happens that New Jersey is doing

**The question guiding many federalism fights, especially over distasteful matters like dealing with wastes, is: Who gets stuck with the mess?**

Agreement on Tariffs and Trade (GATT), the administration has proposed "harmonizing" world agricultural standards. In practice, critics charge, "harmonization" means that pesticide tolerance levels written in Sacramento and Washington would be supplanted by the weaker rulings of a Rome-based panel of U.N.-sponsored scientists called the Codex Alimentarius. The panel currently allows the use of DDT and other chemicals

banned in the United States. The administration denies that any American laws will be pre-empted "as long as [state] regulations are scientifically sound and not merely trade barriers." Nevertheless, foreign countries will be able legally to challenge a host of U.S. statutes. Under the Marine Mammal Protection Act, for instance, the United

far beyond California. Indeed, that is convincing other states they can tighten their own antipollution rules.

This year, Congress may listen more sympathetically than usual to complaints from state officials, who are redrawing congressional-district maps. And Senate Majority Leader George Mitchell, a Democrat, has already made opposition to federal overrides of state laws a personal mission. He thinks the issue makes Republicans vulnerable to the charge of abandoning their supposedly cherished belief in federalism: "Their rhetoric is totally at odds with their economic interests." But he concedes that Democrats have done some repositioning of their own. Indeed, in the words of Mitchell's ally, Democratic Sen. Joseph Lieberman of Connecticut, pre-emption is one of those issues in which "people cross the ideological street and run into themselves coming the other way."

BY PAUL GLASTRIS

U.S. NEWS & WORLD REPORT, JUNE 10, 1991

a:eight1           FACTS ABOUT NATIONAL UNIFORMITY  
                      OF PRODUCT SAFETY & LABELING RULES

Q:   Why is it so important for there to be uniformity of regulations that apply to consumer products like food, drugs and cosmetics?

A:   These consumer products are marketed and distributed throughout the nation, moving freely in interstate commerce from states where they are produced to wherever they are finally consumed. Under such a national system, it is critical that manufacturers have a single set of regulations to follow in such matters as safety and labeling of products.

Q:   Do barriers to a national product distribution system already exist?

A:   Yes. A growing number of states are adopting regulatory requirements that go beyond those of the Food and Drug Administration. Such state activity has increased in the past decade.

Q:   What problems do such conflicting requirements create?

A:   Differing state product safety standards, labels, warnings, instructions -- and even packaging, shipping and expiration dating -- will create a legal, commercial and public health nightmare. The differing requirements also create confusion in the marketplace, eroding consumer confidence in FDA and the laws it administers.

Q:   What is the cost impact?

A:   The cost impact has not been thoroughly measured. However, the over-the-counter drug industry alone faced a total of 67 uniformity-breaking state legislative or regulatory proposals in 1989 and 1990. A 1984 report of the President's Task Force on Regulatory Relief, chaired by then Vice President Bush, stated: "Regulating the safety of drugs... is appropriate to the federal government. Different state standards could impose large costs."

Q:   Are there any consequences of lack of uniformity for international trade?

A:   Yes. America's uniformity of regulation is being threatened just as Europe is moving to eliminate conflicting regulatory systems. By late 1992, twelve national regulatory systems will become one under the European Economic Community.

-2-

Q: Is anything being done now about excessive regulation?

A: The President's Council on Competitiveness has been charged by President Bush to "take on the problem of excessive regulation." Vice President Quayle, who chairs the Council, has reaffirmed the Administration's commitment to remove excessive regulatory burdens on the economy and stop regulatory "creep." That means reducing the amount of regulation, issuing rules only where required, and ensuring that rules clearly maximize benefits and minimize costs.

Q: Do state requirements have to meet the same cost-benefit test as federal requirements.

A: No. Before a new federal requirement can be imposed it must be subjected to an analysis of its cost vs. benefits by the Office of Management and Budget to show that it will have beneficial effects and will not be burdensome. Ironically, state proposals do not undergo the same type of analysis.

Q: What should be done about conflicting state requirements in the food, drug, cosmetic and medical device area?

A: The Advisory Committee on the FDA has just called for Congress to act in this session to preempt conflicting state requirements. But the Bush Administration has the power to take action without waiting to see what, if anything, Congress might do. The FDA should promptly issue a proposed regulation, open for comment, preempting additional conflicting state requirements pertaining to the safety, labeling, and packaging of foods, drugs and cosmetics.

Q: Does FDA have the authority to take such action?

A: Yes. In a letter dated January 4, 1989, the U.S. Department of Justice strongly asserted that FDA has the necessary legal authority to require national labels for drugs under its jurisdiction and to preempt any state or local law in conflict with such regulations.

Q: Should federal preemption apply to all differing state requirements?

A: No. While there is a great need for uniformity there is also a need for flexibility in how it is achieved. States should be free to petition the FDA for exceptions when there are compelling local conditions and when the resulting state requirement would not interfere with the free flow of goods in interstate commerce. States might also petition FDA to adopt as a federal standard an existing or proposed state requirement, thus assuring that the entire country could benefit from good ideas originating at the state level.

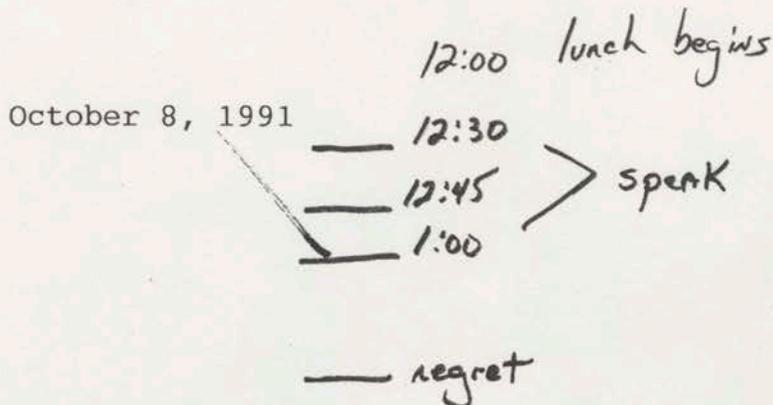
SPEAK

Thurs, Oct 31  
Hyatt Regency



NATIONAL  
SOFT DRINK  
ASSOCIATION

1101 Sixteenth Street, NW  
Washington, DC 20036  
202-463-6732  
Telex: 5101004811  
Facsimile: 202-463-6731



The Honorable Robert Dole  
United States Senate  
Washington, D.C. 20510

Dear Senator Dole:

On October 31, 1991, the National Soft Drink Association will convene its annual meeting of soft drink bottlers and industry executives in Washington. With participants drawn from every geographical area of the country, we expect approximately 400 bottlers, suppliers and franchise company executives to be in attendance.

The National Soft Drink Association is the trade association whose members produce and distribute over 90% of the soft drinks sold in the United States.

We would be especially honored to have you address our members at our luncheon on Thursday, October 31 at the Hyatt Regency Hotel on Capitol Hill.

Your consideration of our invitation will be appreciated, and we would be most grateful should your schedule permit you to be with us.

Sincerely,

William L. Ball, III  
President

SPEECH

Honorarium: \$2,000-

SENATOR BOB DOLE  
NATIONAL SOFT DRINK ASSOCIATION  
OCTOBER 31, 1991

\*IT IS A PLEASURE TO BE HERE TODAY WITH THE NSDA, AND TO BE INTRODUCED BY MY OLD FRIEND WILL BALL. IT SOUNDS LIKE WILL'S PUT TOGETHER AN OUTSTANDING PROGRAM FOR YOU.

\*WILL HAS ASKED ME TO TAKE A FEW MINUTES THIS MORNING TO UPDATE YOU ON WHAT CONGRESS HAS DONE THESE PAST FEW WEEKS, AND TO PREDICT WHAT WE WILL DO BEFORE WE ADJOURN. AND THEN, I'LL BE HAPPY TO HEAR WHAT'S ON YOUR MINDS.

\*THE ISSUE ON TOP OF THE AGENDA THE PAST FEW DAYS HAS BEEN THE CIVIL RIGHTS BILL.

\*CIVIL RIGHTS BILL

\*TAX LEGISLATION

\*MANDATES

\*SPEAKING OF MANDATES, I KNOW THAT THE TOP ITEM OF INTEREST TO YOU IS S. 1318--THE "NATIONAL BOTTLE BILL." I'M AWARE THIS MAY COME UP NEXT YEAR IN R.C.R.A., AND I AM CERTAINLY AWARE OF YOUR CONCERNS. I KNOW THAT SOFT DRINK CONTAINERS ARE ALREADY AMERICA'S MOST RECYCLED PACKAGING--WITH A RECYCLING RATE OF 52% IN 1990--AND I WONDER JUST HOW NECESSARY A HUGE NATIONAL PROGRAM IS.

\*HAPPY TO ANSWER YOUR QUESTIONS.

TO: Senator Dole  
FR: Kerry  
  
RE: National Soft Drink Association  
October 31, 1991

\*You will be meeting with about 250 members of the National Soft Drink Association. Will Ball will introduce you.

\*Our contact has requested a few minutes of informal remarks on "current events and whatever is on your mind," and then a question and answer session.

\*They specifically mentioned your thoughts on the prospect for tax legislation, and your "inside story" on the civil rights compromise as items of interest.

\*The groups #1 legislative priority is to defeat S. 1318-- the "National Bottle Bill," introduced by Senators Hatfield, Packwood, and Jeffords. The bill would impose a national 10-cent refundable deposit on soft drink, beer, and other assorted beverages. The supporters of the Bottle Bill are hoping to attach it to RCRA legislation.

\*John L.D. Frazier, a RC-7-up bottler and distributor from Wichita will be present. Additionally, our contact believes there are two folks with operations in Kansas City who will be attending. She will get all Kansans together for a photo.

\*Other speakers to the group include Congressman Dingell (who will precede you), Senator Gramm (who will follow you), Senator Lott, and Senator Mitchell.

\*Given the fact they are looking for informal remarks, I have just prepared some opening remarks and an outline.