United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, MONDAY, APRIL 19, 1999 No. 53

House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mrs. MORELLA).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 19, 1999.

I hereby appoint the Honorable CONSTANCE A. MORELLA to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

We seek wisdom, O God, so our deeds reflect the works of justice; we seek understanding, O God, so our minds are receptive to the truth; we seek faith, O God, so we will experience the wonders of trust and grace, and we seek peace, O God, so all people will live together in harmony and in respect. It is in Your name, O gracious God, that we offer these sincere petitions. Amen.

THE JOURNAL

The SPEAKER pro tempore (Mrs. MORELLA). The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Nevada (Mr. GIBBONS) come forward and lead the House in the Pledge of Allegiance.

Mr. GIBBONS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 16, 1999.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 16, 1999 at 12:00 noon.

that the Senate passed without amendment H.R. 911.

that the Senate passed without amendment H.R. 1376.

that the Senate passed without amendment H. Con. Res. 68.

Appointments: Congressional advisers on trade agreements United States Commission on Civil Rights.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to announce that pursuant to clause 4 of rule 1, the Speaker signed the following enrolled bills on Friday, April 16, 1999:

H.R. 911, to designate the Federal building located at 310 New Bern Avenue in Raleigh, North Carolina as the ''Terry Sanford Federal Building''.

And, H.R. 1376, to extend the tax benefits available with respect to services performed in a combat zone to services performed in the Federal Republic of Yugoslavia (Serbia/Montenegro) and certain other areas, and for other purposes.

ANNOUNCEMENT OF OFFICIAL OBJECTORS FOR PRIVATE CALENDAR FOR THE 106TH CONGRESS

The SPEAKER pro tempore. On behalf of the majority and minority leaderships, the Chair announces that the official objectors for the Private Calendar for the 106th Congress are as follows: For the majority, Messrs. SENSENBRENNER of Wisconsin, GEKAS of Pennsylvania, and COBLE of North Carolina.

For the minority, Mr. BOUCHER of Virginia and Ms. DELAURO of Connecticut.

APPOINTMENT OF MEMBER OF THE HOUSE TO LIBRARY OF CONGRESS TRUST FUND BOARD

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of section 1 of the act to create a Library of Congress Trust Fund Board, (2 U.S.C. 154), amended by section 1 of Public Law 102–246, the Chair announces the Speaker's appointment of the following Member on the part of the House to the Library of Congress Trust Fund Board for a 5-year term to fill the existing vacancy thereon:

Mr. John Henry of Florida.

There was no objection.

NUCLEAR POWER INDUSTRY SHOULD PAY THE COSTS OF MOVING NUCLEAR WASTE

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Madam Speaker, there is going to be a $2.3 billion price tag for transporting nuclear waste across

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America. I guess the question should be, and the one we should be asking is, should it be the responsibility of the nuclear power industry who, by the way, created and profited from nuclear energy, or should this price tag be picked up by the American taxpayer?

Well, legislation now pending before the House will force taxpayers to pick up the tab, all $2.3 billion, for moving this lethal garbage through their neighborhoods and through their communities. On top of that, this legislation would also use American tax dollars to pay for the storage of nuclear waste.

I think most Americans would agree that the cost of transporting and storing these hazardous materials should not have to be paid by innocent American taxpayers. Rather, it should be paid by those responsible: The nuclear power industry.

Madam Speaker, let us save Americans' hard-earned tax dollars and return the responsibility of waste to the power companies who created the problem.

Oppose H.R. 45. I yield back the balance of my time and what little money is left in the pockets of the American people.

CORRECTION TO THE CONGRESSIONAL RECORD OF WEDNESDAY, APRIL 14, 1999 AT PAGE H1979

A portion of the following one-minute speech of the gentleman from Georgia (Mr. LEWIS) was omitted from the CONGRESSIONAL RECORD of Wednesday, April 14, 1999.

PRAISE FOR LOCAL HEROES IN ATLANTA

(Mr. LEWIS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Georgia. Mr. Speaker, I rise today to praise courageous fire fighters in the City of Atlanta.

On Monday afternoon, members of the Atlanta City Fire Department fought a raging fire through the historic Fulton Bag and Cotton Mill in southeast Atlanta. Mr. Ivers Sims was trapped on a crane 220 feet in the air. As I watched this human drama unfold from my office, my heart stopped.

Demonstrating extraordinary courage and skill, fire fighter Matt Moseley and helicopter pilot Capt. Boyd Clines lifted Mr. Sims from his dangerous perch like angels from the heavens. They saved his life. This brilliant rescue has made the City of Atlanta, the State of Georgia, and our Nation proud.

The fire fighters and Mr. Sims have my profound respect for their raw courage and extraordinary calm and determination under the most dangerous of circumstances.

Mr. Speaker, let me take this opportunity to praise fire fighters throughout the Nation who put their lives on the line every day to protect and serve our communities.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GIBBONS) to revise and extend their remarks and include extraneous material:)

Mr. WELDON of Pennsylvania, for 5 minutes, on April 22.

Mr. ENGLISH, for 5 minutes, on April 20.

Mr. LUCAS of Kentucky, for 5 minutes, on April 21.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on the following date present to the President, for his approval, bills of the House of the following titles:

On April 16, 1999:

H.R. 911. To designate the Federal building located at 310 New Bern Avenue in Raleigh, North Carolina, as the ''Terry Sandford Federal Building.''

H.R. 1376. To extend the tax benefits available with respect to services performed in a combat zone to services performed in the Federal Republic of Yugoslavia (Serbia/Montenegro) and certain other areas, and for other purposes.

ADJOURNMENT

Mr. GIBBONS. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 7 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, April 20, 1999, at 12:30 p.m. for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1561. A letter from the Director, Administration and Management, Department of Defense, transmitting the calendar year 1997 report on ''Extraordinary Contractual Actions to Facilitate the National Defense,'' pursuant to 50 U.S.C. 1434; to the Committee on Armed Services.

1562. A letter from the Deputy Under Secretary of Defense (Environmental Security), Department of Defense, transmitting a report on the actions of the Defense Environmental Response Task Force (DERTF) for Fiscal Year 1998 (FY98), pursuant to Public Law 101–510; to the Committee on Armed Services.

1563. A letter from the Principal Deputy for the Under Secretary (Acquisition and Technology) of Defense, Department of Defense, transmitting an interim report on their efforts to develop a ''Plan for Improved Demilitarization of Excess and Surplus Defense Property''; to the Committee on Armed Services.

1564. A letter from the Secretary of Defense, transmitting a report on an integrated program for the development and demonstration of technologies for the demilitarization and disposal of conventional munitions, rockets, and explosives; to the Committee on Armed Services.

1565. A letter from the Under Secretary of Defense, transmitting a report on Department of Defense reimbursement of contractor environmental response action costs; to the Committee on Armed Services.

1566. A letter from the Executive Secretary, Harry S. Truman Scholarship Foundation, transmitting the Foundation's annual report for 1998, pursuant to 20 U.S.C. 2012(b); to the Committee on Education and the Workforce.

1567. A letter from the Secretary of Energy, transmitting the Annual/Quarterly Report on the Strategic Petroleum Reserve, pursuant to 42 U.S.C. 6241(g)(8); to the Committee on Commerce.

1568. A letter from the Secretary, Department of Transportation, transmitting the Department's Twenty-third Annual Report to Congress entitled ''Automotive Fuel Economy Program,'' pursuant to 49 U.S.C. 32916; to the Committee on Commerce.

1569. A letter from the Acting Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Quality Assurance—received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1570. A letter from the Administrator, Environmental Protection Agency, transmitting a report entitled ''Report to Congress on Wastes from the Combustion of Fossil Fuels''; to the Committee on Commerce.

1571. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Medical Devices; Exemptions From Premarket Notification; Class II Devices [Docket No. 98P–0833] received April 7, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1572. A letter from the Senior Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, Agency for International Development, transmitting the Egypt Economic Report; to the Committee on International Relations.

1573. A letter from the Assistant Secretary for Export Administration, Bureau of Export Administration, transmitting the Bureau's final rule—Encryption Items [Docket No. 9809–11233–8318–02] (RIN: 0694–AB80) received March 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

1574. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a national interest determination and waiver of Section 620(q) of the Foreign Assistance Act of 1961, as amended, relating to assistance to Honduras; to the Committee on International Relations.

1575. A letter from the Executive Director, Committee for Purchase From People Who are Blind or Severely Disabled, transmitting the Committee's final rule—Procurement List Additions—received April 7, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1576. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's Federal Equal Opportunity Recruitment Program (FEORP) Accomplishments Report for Fiscal Year 1998, pursuant to Public Law 96–465 section 105(d); to the Committee on Government Reform.

1577. A letter from the Director, Office of Personnel Management, transmitting the agency's twelfth annual report on drug and alcohol abuse prevention, treatment, and rehabilitation programs and services for Federal civilian employees covering fiscal year

1996, pursuant to 5 U.S.C. 7363; to the Committee on Government Reform.

1578. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Temporary and Term Employment (RIN: 3206–A145) received April 7, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1579. A letter from the Secretary of Agriculture, transmitting the Annual Performance Plan; to the Committee on Government Reform.

1580. A letter from the Deputy Assistant Administrator, National Oceanic and Atmospheric Administration, transmitting a funding announcement concerning the request for proposals for the Coastal Ocean Program's U.S. GLOBEC project; to the Committee on Resources.

1581. A letter from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Amendment 7 to the Atlantic Sea Scallop Fishery Management Plan [Docket No. 981202293–9075–02; I.D. 110998F] (RIN: 0648–AJ33) received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1582. A letter from the Director, Government Relations, Girl Scouts of the United States of America, transmitting the Girl Scouts of the United States of America 1998 Annual Report, pursuant to 36 U.S.C. 37; to the Committee on the Judiciary.

1583. A letter from the President and Chief Executive Officer, Little League Baseball, transmitting the organization's annual report for the fiscal year ending September 30, 1998, pursuant to 36 U.S.C. 1084(b); to the Committee on the Judiciary.

1584. A letter from the Chairperson, National Council on Disability, transmitting a report entitled, ''Enforcing the Civil Rights of Air Travelers with Disabilities: Recommendations for the Department of Transportation and Congress''; to the Committee on Transportation and Infrastructure.

1585. A letter from the Secretary of Transportation, transmitting a report in response to Section 2 of the National Invasive Species Act of 1996; to the Committee on Transportation and Infrastructure.

1586. A letter from the Secretary of Transportation, transmitting a report to present the feasibility, cost, and benefits of full implementation of the Performance and Registration Information Systems Management (PRISM) pilot demonstration project; to the Committee on Transportation and Infrastructure.

1587. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Electronic Funds Transfer—Temporary Waiver of Failure to Deposit Penalty for Certain Taxpayers (Notice 99–20) received April 7, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1588. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Post-1997 Distributions of Capital Gains from Charitable Remainder Trusts (Notice 99–17) received April 7, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1589. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting their Annual Report to Congress which describes the Board's health and safety activities relating to the Department of Energy's defense nuclear facilities during the calendar year 1998; jointly to the Committees on Armed Services and Commerce.

1590. A letter from the Assistant Secretary of Defense, for Health Affairs, Department of Defense, transmitting an annual report to Congress on outreach to Gulf War veterans, revision of Physical Evaluation Board crtieria, and review of records and reevaluation of the ratings of previously discharged Gulf War veterans; jointly to the Committees on Armed Services and Veterans' Affairs.

1591. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Ninth Annual Report to Congress which describes the Board's health and safety activities relating to the Department of Energy's defense nuclear facilities during the calendar year 1998; jointly to the Committees on Commerce and Armed Services.

1592. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that the President proposes to draw down up to a total of 25 million in commodities and services from the Department of Defense to assist in the international relief efforts for those countries bordering Kosovo that are affected by the humanitarian crisis caused by the Kosovo Conflict, pursuant to 22 U.S.C. 2348a; jointly to the Committees on International Relations and Appropriations.

1593. A letter from the Assistant Secretary of the Army (Civil Works), Department of the Army, transmitting the Army Corps of Engineers Post Authorization Change Report, dated April 1998, and Limited Reevaluation Report, dated December 1997; jointly to the Committees on Transportation and Infrastructure and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BURTON: Committee on Government Reform. H.R. 929. A bill to amend title 13, United States Code, to require that the questionnaire used in taking the 2000 decennial census be made available in certain languages besides English (Rept. 106–96). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURTON: Committee on Government Reform. H.R. 1010. A bill to improve participation in the 2000 decennial census by increasing the amounts available to the Bureau of the Census for marketing, promotion, and outreach; with an amendment (Rept. 106–97). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 999. A bill to amend the Federal Water Pollution Control Act to improve the quality of coastal recreation waters, and for other purposes; with an amendment (Rept. 106–98. Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on Science. H.R. 1184. A bill to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 2000 and 2001, and for other purposes; with an amendment (Rept. 106–99 Pt. 1).

DISCHARGE OF COMMITTEE

[The following action occurred on April 16, 1999]

Pursuant to clause 5 of rule X, the Committee on the Judiciary discharged. H.R. 851 referred to the Committee of the Whole House on the State of the Union.

Pursuant to clause 5 of rule X, the Committee on Commerce discharged. H.R. 1027 referred to the Committee of the Whole House on the State of the Union.

[Submitted April 19, 1999]

Pursuant to clause 5 of rule X, the Committee on Resources discharged. H.R. 1184 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X, the following action was taken by the Speaker:

H.R. 1184. Referred to the Committee on Resources extended for a period ending not later than April 19, 1999.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Mr. GIBBONS introduced a bill (H.R. 1474) to restore the traditional day of observance of Memorial Day; to the Committee on Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

22. The SPEAKER presented a memorial of the General Assembly of the State of Rhode Island, relative to Senate Resolution 849 memorializing the United States Congress to enact legislation amending the Social Security Act to prohibit recoupment by the federal government of state tobacco settlement funds; to the Committee on Commerce.

23. Also, a memorial of the House of Representatives of the Commonwealth of Puerto Rico, relative to Resolution Number 4493 memorializing the President of the United States and the Secretary of State to use all means in their power to intercede in behalf of the liberation of the people arrested and subject to trial in Cuba, for the sole cause of dissidence towards the policies of the government of said Republic, or their exercise of freedom of the press, or their support of the rights of dissidents and journalists; to the Committee on International Relations.

24. Also, a memorial of the House of Representatives of the State of Michigan, relative to Resolution Number 26 memorializing the Congress of the United States and the Veterans Affairs Administration to prevent the reduction of hospital bed capacity at the Iron Mountain Veterans Administration Medical Care Facility; to the Committee on Veterans' Affairs.

25. Also, a memorial of the Senate of the State of Maine, relative to Senate Paper 517 recommending and urging Congress to enact laws to encourage workers and their employers to save or invest for retirement, but, these provisions should supplement the basic benefits of Social Security insurance and not substitute for core protections that are vital to American working families; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 637: Mr. FILNER, Ms. PRYCE of Ohio, Mr. LOBIONDO, and Mr. TAYLOR of North Carolina.

H.R. 684: Mr. BLUMENAUER, Ms. DEGETTE, Mr. KUCINICH, and Mr. HINCHEY.

H.R. 716: Ms. DELAURO.

H.R. 798: Ms. WATERS and Ms. DEGETTE.

H.R. 854: Ms. DEGETTE and Mr. HINCHEY.

H.R. 903: Mrs. EMERSON, Mr. SESSIONS, Mr. HEFLEY, Mrs. TAUSCHER, Mr. SOUDER, Mr. GRAHAM, Mr. CLAY, Mr. OSE, Mr. DOOLITTLE, Mr. HERGER, Mr. BERMAN, Mr. EWING, Mr. STEARNS, Mr. GREENWOOD, Mr. BOEHNER, Mr. CLEMENT, Mr. FILNER, and Mr. WISE.

H.R. 960: Mr. SMITH of Washington and Ms. NORTON.

H.R. 985: Mr. BARRETT of Wisconsin.

H.R. 1074: Mr. RYAN of Wisconsin.

H.R. 1168: Ms. DELAURO and Mr. WELLER.

H.R. 1269: Mrs. CHRISTENSEN, Mr. CAPUANO, Mr. UNDERWOOD, and Ms. ESHOO.

H.R. 1443: Mr. RUSH and Mr. TOWNS.

H. Res. 115: Mr. DIXON, Mr. MURTHA, and Mr. CRAMER.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the Clerk's desk and referred as follows:

9. The SPEAKER presented a petition of the Legislature of Erie County, relative to a petition thanking and giving recognition to all participants whose hard work and devotion to the neighborhood and to low- and moderate-income residents help ensure the quality and effectiveness of the Community Development Block Grant program; to the Committee on Banking and Financial Services.

10. Also, a petition of the Idaho Park and Recreation Board, relative to resolution 99–1 petitioning the Senate and the House of Representatives of the United States to pass legislation re-allocating stateside funding for the Land and Water Conservation Fund; to the Committee on Resources.

11. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 33 petitioning the Congress of the United States to Enact a Tax Credit to Support Elderly Americans and Their Families Providing Long-Term Care at Home; to the Committee on Ways and Means.

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PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, MONDAY, APRIL 19, 1999 No. 53

Senate

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious Father, this is a day for rejoicing over the manifold good things You have given us. Help us to take nothing and no one for granted. As we move through this day, help us to savor the sheer wonder of being alive. Thank You for giving us the ability to think, understand, and receive Your guidance. We praise You for the people You have placed in our lives. Help us to appreciate the never-to-be-repeated miracle of each personality.

We are grateful for the challenges we have before us which compel us to depend on You more. Thank You, too, for opportunities that are beyond our ability to fulfill so that we may be forced to trust You for wisdom and strength. We rejoice over Your daily interventions to help us; we even rejoice in our problems, for they allow You to show us Your power to provide solutions. Free us to rejoice in the privilege of new discoveries.

In all things, great and small, we rejoice in You, gracious Lord of all! Through the indwelling presence and inspiring power of our Savior and Lord. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

SCHEDULE

Mr. GRASSLEY. Mr. President, for the leader, I would like to give this information. It is for all Senators. The Senate will be in a period of morning business until 2 p.m. Following morning business, the Senate may begin consideration of S. 531, a bill to authorize a congressional gold medal for Rosa Parks. If this legislation is cleared for action, a vote will occur at 5:30 p.m. We will notify all Senators of an exact voting schedule when that information becomes available.

Also, Senators may expect to consider any legislative or executive items cleared for action.

The majority leader would like to, again, remind all Senators that there will be no session of the Senate Friday, April 23. He thanks all of our colleagues for their attention.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. ALLARD). Under the previous order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 2 p.m. with Senators permitted to speak for up to 10 minutes each.

The Senator from Iowa is recognized.

INHALANTS AND GHB

Mr. GRASSLEY. Mr. President, I speak often about the threat that illegal drugs pose to our young people. Today, I want to address a serious problem from substances common in virtually every home in the country. There are several trends in substance abuse among young people that are happening literally under our noses. I want to address two substances that receive little attention but cause much pain and suffering. Most people are not familiar with the harms of either of these substances. However, our familiarity with and attention to these lethal substances is well overdue. The subject is: inhalants and GHB.

Inhalants are among the scariest substance being abused by teenagers today. Why? Because, kids have to go no further than their own kitchen cabinets to find them. Inhalants are everyday household products such as hair spray, cleaning fluids, air-fresheners, and whipped cream. More than 1,000 common household products have the potential to be abused. Kids are sniffing these easily obtainable household products to get a cheap high. In many cases, inhalants are used as an alternative to alcohol, clearly because young people don't have to break any laws to get them. Some see abuse of inhalants as a childish phase or youthful experimenting, but let me assure you ''inhalant abuse'' is deadly serious.

Inhalants kill hundreds of children each year. Since July of 1996, over 250 children have died from intentionally ingesting toxic fumes. Inhalants rank fourth among the substances abused by teens ages twelve to seventeen. Only alcohol, tobacco, and marijuana rank higher. In fact, inhalant abuse has gotten so bad that it is now considered a gateway drug. Like other gateway drugs, about one in five teens will try ''sniffing'' before they graduate. What is even more astounding is that inhalant abuse is a problem with children as young as eight; those in second grade.

Unfortunately, many do not acknowledge the severity of inhalant abuse until it is too late. A recent tragedy in a Philadelphia suburb demonstrated the lethal effects of inhalants when five sixteen-year-old girls were killed in a car accident. The coroner found that four of the five, including the driver, had ingested significant amounts of computer keyboard cleaner. Sadly, the girls were out shopping for dresses for a prom they will never attend.

The problem is that too many of us are unaware of the dangers of inhalants. According to a 1997 National Household Survey on Drugs, nine out of ten parents don't believe their children have ever abused inhalants. But surveys indicate that almost a half-a-million teens abuse inhalants every

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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month. In fact, of those parents who do talk to their kids about drugs, less than half address inhalant abuse. Why aren't we talking about a substance that starves the brain of oxygen to the point of suffocation? Why aren't we warning our kids that these household products can cause damage to the brain and nervous system? We can't expect a teenager to know the severity of sniffing unless we tell them.

We need to alert parents and kids to the dangers of inhalants. This is the reason Congress named the week of March 21 through March 27 as ''National Inhalants and Poisons Awareness Week''. It is evident to me that this kind of recognition is imperative to reducing inhalant abuse. We cannot lock up our kids. We cannot keep many items with the potential for abuse out of the world our young people inhabit. What we can and must do is to exercise more responsibility and pay closer attention.

Another substance that is consuming our youth is GHB. If you aren't familiar with this drug, it may be because there is little information available on its fatal effects. In fact, GHB was sold over the counter as a dietary supplement in health food stores until 1990. Today, advocates of GHB believe the drug is harmless and should continue to be sold over the counter. Unfortunately, a person doing research on the drug will find more information supporting the use of GHB rather than reporting the realistic effects of the drug. For this reason, GHB continues to be sold as a recreational drug and perceived as harmless. These perceptions have proved deadly for many.

GHB has become popular at parties known as ''Raves''. These all-night parties glamorize the use of drugs and alcohol. ''Ravers'' are taking GHB to feel relaxed, to loose their inhibitions, and to increase their sexual libidos. However, the truth is that too much GHB or GHB mixed with other drugs can cause seizures, comas, severe vomiting, and respiratory arrests. In addition, GHB causes amnesia. For this reason, it has been frequently used as a date rape drug. Unknowing victims are slipped GHB and can't remember their attacker the next day.

Since GHB is a newly abused drug, there have been few studies done to illustrate it's effects. However, the Drug Abuse Warning Network reports an increase in GHB-related emergency department episodes from 20 in 1992 to 629 in 1996. Among these episodes, 91 percent reported that their reason for using GHB was for recreational purposes. Of that 91 percent, 33 percent claimed they had no idea what GHB would do to them.

Based on what we know, there are no safe levels of use. There are no known ways to predict side effects. And there are no ways to anticipate how GHB will react with other substances. Yet, young people are being told this drug is okay. Well, it isn't. And I don't believe parents want their children self-prescribing any drugs, much less one so dangerous. We have to let kids know that GHB is a serious drug with serious consequences. If we know so little about GHB, we can assume kids know even less. It is imperative that we warn kids of the dangers involved in these substances.

Mr. President, how much time do I have left?

The PRESIDING OFFICER. Less than a minute.

Mr. GRASSLEY. I ask permission to have 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

BRAZILIAN SOY MEAL PURCHASE

Mr. GRASSLEY. Mr. President, I want to address a family farm issue and I want to take this opportunity to send a clear message to other portions of agriculture that I sense are not supporting the family farmers of America the way they should be, when in reality, the organizations I'm finding fault with are in the very same boat as any family farmer in America. What's even more disturbing to me, some of these really big megapork producers in America refer to themselves as family farms. It's in the title of their organization.

The fact is, Mr. President, family farmers are facing the lowest soybean prices in 23 years. Farmers are currently storing more soybeans on the farm than at any other point in the 1990's. In addition, the American Soybean Association forecasts this year the United States will have a larger number of carry-out stocks than at any other point this decade. Due to the excessive available supply, family farmers marketing soybeans are in a very difficult situation.

Soybean prices will not improve until U.S. reserves are diminished. But, believe it or not, the cooperative that I've referred to, composed of some of the largest livestock integrators in the Nation, are planning to import soybean meal from Brazil. And, of course, this is going to have a very significant negative impact on American soybean producers. But, more important, it is demoralizing to the family farmers of America who are producing soybeans to read reports about other so-called family farmers importing soybean meal from another country.

The cooperative located in the Southeast United States will bring in three foreign shipments totaling 75,000 metric tons of soybean meal. And, by the way, for those of you who don't know agriculture, soybean meal is used as a protein supplement in feed, which when combined with corn and other feed grains helps to prepare the hogs for slaughter and domestic consumption.

I reported to you that they will be bringing in 75,000 metric tons of soybean meal on three different foreign shipments. It takes approximately 52 bushels of soybeans to produce one metric ton of soybean meal. This means that U.S. soybean producers are losing an opportunity to market nearly 4 million bushels of soybeans to these six producers of hogs who are part of this cooperative.

With the current crisis in the agriculture community, it's an understatement to say that this purchase has not been well-received by soybean producers. It has already been my impression that when times are tough on the farm, the agriculture community, both farm and non-farm, pitches in to help each other. From individual barn raisings to emergency hay lifts, family farmers stick together to help each other. Now, with soybeans under $5 a bushel, and that's a 23-year low, I would hope that this was one of those times when the ag community would come together in the face of adversity.

Maybe I'm wrong, or maybe the livestock integrators which make up the cooperative in question don't understand the impact of their actions. One of the entities involved in the cooperative holds itself out to be a family farm organization. Well, if it's really a family farm, this is the perfect time to show its true colors and support American family farmers.

Mr. President, if the entities within this cooperative buying group want to be considered as family farmers, they should support the family farmers, and I'm speaking specifically about Murphys' Family Farms, Carroll Foods, Prestage, Smithfield Foods, Goldsboro Farms, and Nashjohnson and Sons Farms. These are the members of this cooperative that are buying soybean meal from Brazil when we have this oversupply in our own country.

Now, as I indicated to you, family farmers generally help family farmers. And I have never once complained in America as a matter of public policy about something being too big. These are obviously very big producers of pork in the United States. I have no resentment that they are successful. But some of these operations feed some of their livestock in my State of Iowa. We are the number-one soybean-producing State. It seems to me that whether the feed in question that's coming from Brazil is used in North Carolina or used in Iowa, it still is wrong to do this to the people that you consider your neighbors in each of these States. I would like to have all these farmers get their heart into American family farm agriculture or get their rear-end out.

I urge this cooperative to reassess its position and consider the plight of the family farmer. Place American farmers' long-term interests above what may only be a short-term gain and obviously a very bad public relations stunt for each of you. I yield the floor.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RED TAPE REDUCTION ACT

Mr. BOND. Mr. President, during the past recess, the third anniversary of the Small Business Regulatory Enforcement Fairness Act, better known as the Red Tape Reduction Act, passed on March 29 with little notice or fanfare.

Let me suggest that while the Red Tape Reduction Act is hardly a household word, it is well worth commemorating, and it is extremely important to the small businesses in America who are oppressed by excessive Government regulation and unthinking regulation imposing unnecessary burdens on them.

I ask unanimous consent to print in the RECORD letters of support that speak to the importance of this law to our Nation's small businesses.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL FEDERATION OF INDEPENDENT BUSINESS,
Washington, DC, April 19, 1999.

Hon. KIT BOND,
Chairman, Committee on Small Business, U.S. Senate, Washington, DC.

DEAR CHAIRMAN BOND: On behalf of the 600,000 small business owners of the National Federation of Independent Business (NFIB), I am writing to join you in commemorating the third anniversary of the Small Business Regulatory Enforcement Fairness Act.

For close to 30 years, NFIB has worked with Congress to secure meaningful regulatory reform for small business. In 1980, the groundwork was laid by the Regulatory Flexibility Act that requires agencies to measure the impact of their regulations on small businesses.

Together, with you and other leaders in Congress, we worked hard to address recommendations from the 1995 White House Conference on Small Business. In 1996, many of those recommendations were enacted as part of the Small Business Regulatory Enforcement Fairness Act. This ''Red Tape Reduction Act'' gave teeth to the Regulatory Flexibility Act by making agency decisions under the Act judicially reviewable and adding even more small business safeguards to the rulemaking and enforcement functions of government agencies.

Since passage of the Red Tape Reduction Act, NFIB has been committed to ensuring successful implementation of the law. Our small business members have testified on regulatory enforcement before Regulatory Fairness Boards across the country. NFIB members also have participated in panels convened by the U.S. Environmental Protection Agency (EPA) and the Occupational Safety and Health Administration (OSHA) to assist in the development of regulatory proposals. Additionally, we have worked closely with small business trade groups and the U.S. Small Business Administration's Office of Advocacy to ensure that agencies consider the impact on small business prior to regulatory action.

Small business has benefitted from passage of the Red Tape Reduction Act. For 3 years, small business has been guaranteed a ''seat at the table'' when government agencies make regulatory decisions. However, more needs to be done. Small businesses with 20 to 49 employees continue to spend, on average, 19 cents out of every dollar on regulatory costs. The very smallest businesses, with 1 to 4 employees, spend almost twice as much per employee on regulatory costs than larger businesses.

Your observance of the Red Tape Reduction Act's anniversary is timely. Congressional oversight on agency compliance with the Act is needed now more than ever. Small business, the employer of over one-half of the private workforce, is in danger if we rest on our laurels. There continues to be obstacles in the way of American small business' economic potential: high taxes, excessive regulations, rising health-care costs, and frivolous lawsuits.

We commend your leadership in ushering the Red Tape Reduction Act through Congress and to the President for signature 3 years ago. Your continued focus on the needs of small business is honorable, and we remain committed to helping you address the challenges faced by small and independent businesses, in America.

Sincerely,

DAN DANNER,
Vice President.

SMALL BUSINESS LEGISLATIVE COUNCIL,
Washington, DC, March 24, 1999.

Hon. KIT BOND,
Chairman, Committee on Small Business, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the Small Business Legislative Council (SBLC) I would like to congratulate you on the third anniversary of your ''red tape reduction'' law, the Small Business Regulatory Enforcement Fairness Act (SBREFA). Personally, I believe it is one of the most important small business laws of all time. We cannot say thank you enough.

Only now is everybody, including the agencies, beginning to fully appreciate the value of SBREFA. We must continue the momentum created by SBREFA. At your recent roundtable, we offered several suggestions on how we can make a good thing better, such as including the IRS under the Review Panel provisions.

The SBLC is a permanent, independent coalition of eighty trade and professional associations that share a common commitment to the future of small business. Our members represent the interests of small businesses in such diverse economic sectors as manufacturing, retailing, distribution, professional and technical services, construction, transportation, tourism and agriculture. For your information, a list of our members is enclosed.

You have built a small business record to be proud of. SBREFA is an important cornerstone. As you know, we are avid supporters of your efforts. As always, we look forward to working with you on behalf of small business. Congratulations!

Sincerely,

JOHN C. SATAGAJ,
President and General Counsel.

MEMBERS OF SMALL BUSINESS LEGISLATIVE COUNCIL

ACIL
Air Conditioning Contractors of America
Alliance for Affordable Services
Alliance for American Innovation
Alliance of Independent Store Owners and Professionals
American Animal Hospital Association
American Association of Equine Practitioners
American Bus Association
American Consulting Engineers Council
American Machine Tool Distributors Association
American Nursery and Landscape Association
American Road & Transportation Builders Association
American Society of Interior Designers
American Society of Travel Agents, Inc.
American Subcontractors Association
American Textile Machinery Association
American Trucking Associations, Inc.
Architectural Precast Association
Associated Equipment Distributors
Associated Landscape Contractors of America
Association of Small Business Development Centers
Association of Sales and Marketing Companies
Automotive Recyclers Association
Automotive Service Association
Bowling Proprietors Association of America
Building Service Contractors Association International
Business Advertising Council
CBA
Council of Fleet Specialists
Council of Growing Companies
Direct Selling Association
Electronics Representatives Association
Florists' Transworld Delivery Association
Health Industry Representatives Association
Helicopter Association International
Independent Bankers Association of America
Independent Medical Distributors Association
International Association of Refrigerated Warehouses
International Formalwear Association
International Franchise Association
Machinery Dealers National Association
Mail Advertising Service Association
Manufacturers Agents for the Food Service Industry
Manufacturers Agents National Association
Manufacturers Representatives of America, Inc.
National Association for the Self-Employed
National Association of Home Builders
National Association of Plumbing-Heating-Cooling Contractors
National Association of Realtors
National Association of RV Parks and Campgrounds
National Association of Small Business Investment Companies
National Association of the Remodeling Industry
National Chimney Sweep Guild
National Community Pharmacists Association
National Electrical Contractors Association
National Electrical Manufacturers Representatives Association
National Funeral Directors Association, Inc.
National Lumber & Building Material Dealers Association
National Moving and Storage Association
National Ornamental & Miscellaneous Metals Association
National Paperbox Association
National Society of Accountants
National Tooling and Machining Association
National Tour Association
National Wood Flooring Association
Organization for the Promotion and Advancement of Small Telephone Companies
Petroleum Marketers Association of America
Printing Industries of America, Inc.
Professional Lawn Care Association of America
Promotional Products Association International
The Retailer's Bakery Association
Saturation Mailers Coalition
Small Business Council of America, Inc.

Small Business Exporters Association
Small Business Technology Coalition
SMC Business Councils
Society of American Florists
Turfgrass Producers International
Tire Association of North America
United Motorcoach Association

MED AMERICA DENTAL AND HEARING CENTER,
Mt. Vernon, MI, USA.

DEAR SENATOR BOND: Three years ago, the SBREFA bill you authored became law. This was a good bill that became good law. The goal was to cause a sea change in how federal regulatory agencies did business. A change from:

They being the good guys and small business being the bad guys

They being the cops and us the crooks

Enforcing compliance by coercion to working together for the safety of our employees.

We have made some progress towards that goal. Some agencies are getting the message. And, some are not. Some divisions, districts, and inspectors are trying to move forward. And, others have been doing it the old way so long that one wonders if they are capable of change. Still others appear to possess a bias towards any free market business trying to provide goods and services, jobs for Americans, and a decent profit.

The Regulatory Fairness boards, established by SBREFA, have worked very hard to get the word out about small businesses rights to regulatory fairness. We have talked with all the federal regulatory agencies regarding their statutory requirements under this law. Some are seeking to comply. Others are performing heroic contortions of logic beyond all reason to avoid compliance with this law. Even today, some inspectors and small business advocates appear unaware of the rights of small businesses for regulatory fairness.

Some agency departments, such as OSHA in the Kansas oil fields and in the Colorado construction trades, are working with small businesses to develop good safety practices where there are clear measurable issues of workers being harmed. Yet, the same agency, OSHA ,seeks to slam dunk repetitive motion regulations, when most such injuries are related to computer games and sports outside of the work place. Thus, creating an expensive and time consuming conflict between employers and employees.

The regulatory fairness boards, comprised of small business owners who are quite busy running their own businesses, have worked very hard to communicate with small business owners about their rights to regulatory fairness. We have taken some compelling testimony regarding excessive and over-zealous enforcement of federal regulations. Last year, the most compelling was HHS and HCFA campaign against the Home Health Care Industry. Your good efforts to halt this campaign are greatly appreciated.

Other compelling examples have been forwarded to Congress. The regulatory fairness boards, rightly so, have no authority over the federal regulatory agencies. That is left to Congress and the Administration. We have gathered the comments and high-lighted areas of abuse. Our future success greatly depends upon the actions taken by Congress in response to these abuses. I pray for your courage and success.

Three years ago, thanks to SBREFA, we began a long marathon to roll back the tide of regulatory burdens on America's small businesses. We are making progress. It's a marathon. Not, a sprint. I ask that you do not lose heart. I pray that we will not.

Thank you for your strong support of America's small businesses.

SCOTT GEORGE.

NATIONAL TOOLING & MACHINING ASSOCIATION,
Ft. Washington, MD, April 2, 1999.

Hon. KIT BOND,
Chairman, Committee on Small Business, U.S. Senate, Washington, DC.

DEAR CHAIRMAN BOND: With the anniversary of the Small Business Regulatory Enforcement Fairness Act (SBREFA) upon us, now is the appropriate time to say ''Thank You'' once again for all your work on that important law. SBREFA has put the needed teeth into the Regulatory Flexibility Act of 1980, allowing judicial review of agency rules and the new panel process involving small businesses and the agencies that regulate them.

NTMA's future Chairman of the Board, Roger Sustar, recently completed his work on a SBREFA panel with OSHA regarding the draft ergonomics program standard. This was NTMA's first experience in the panel process—and it was amazing! Seeing OSHA sit down and listen to the real small business people this standard would affect was something we would not have dreamed of just a couple of short years ago. While there is still a month before the final panel report is printed, it was a terrific experience to have input before a final ergonomics rule was proposed. I am looking forward to the panel report's recommended changes to the proposed standard, based on the input of small business entity representatives.

It is also appropriate to say that the SBA's Office of Advocacy played a key role in the panel process, and that their help was invaluable. Jere Glover and his staff, particularly Claudia Rayford and David Schnare, ensured that small business' voice was heard during the process. NTMA is very supportive of the Office of Advocacy and all they do. We actively support, and have asked for, increased funding in the Budget for this vital part of our government.

I know there is a possibility that SBREFA will be expanded to cover the Internal Revenue Service. NTMA fully supports that proposal. If there is anything I can do in that endeavor, just call on me.

As the chief sponsor of SBREFA, I congratulate you on the anniversary of this law and applaud your efforts to help small businesses across this country get a fair hearing with the federal government. You have always been a true friend to small business.

Sincerely,

JOHN A. COX, JR.,
Manager, Government Affairs.

Mr. BOND. Mr. President, we have heard a lot about the need for oversight to find out what Government agencies are doing with the laws we pass. Today, I am here to report on the oversight of the Small Business Committee, because we want to make sure that the small businesses get the fair treatment they are entitled to under the law.

Unfortunately, while we have made some progress and offered hope to many small businesses, we have found a number of agencies have failed to make the grade. So in a few moments, I am going to announce a new series of awards for small-business-oppressing Government agencies who deserve to have some help in unclogging the regulatory pipelines in their office.

For several decades, small business owners have watched with dismay as Federal regulations have proliferated. These regulations are taking increasingly large amounts of time and money to interpret, and compliance costs have soared. Until recently, we were shocked by the general assumption that small business owners spend 5 percent of their revenues to prepare their taxes.

Last Monday, in a hearing we had in the Small Business Committee, we found it worse than we imagined. The committee heard testimony from Brian Gloe, the co-CEO of Rosse Lithographing Company in Kansas City, that his business, for example, pays more than 16 percent of its net income just to figure out how much it owes the IRS. That is even before they write the check to pay the taxes.

As my colleagues well know, the IRS is just one Federal agency. Other agencies imposing huge burdens on small businesses include the Environmental Protection Agency, the Department of Labor, and the Occupational Safety and Health Administration. Add to that list the countless other agencies a small business must deal with, depending on what products it sells or services it provides. Each of these agencies has thousands of requirements which must be followed under penalty of fines or even prison time.

In short, the Red Tape Reduction Act was long overdue. I was very pleased that this body passed the measure unanimously. It passed the House on a consent calendar. It was signed into law on March 29, 1996. It was designed to provide tools to small business owners to assure regulatory fairness and reduce unnecessary regulatory burdens.

The new law contains important innovative provisions. One, it gives small entities the ability to take an agency to court for failing to consider ways to reduce the economic impact of their new regulations.

Two, it requires agencies to prepare ''plain English'' compliance guides so that small business owners will not have to hire a team of lawyers just to interpret the regulations.

Three, it makes it easier for small businesses to recover attorney's fees when agencies make demands for outrageous fines and penalties that are not sustainable in court.

And finally, it allows Congress to review and disapprove certain new agency regulations that are extreme or are not what Congress intended.

Despite the straightforward nature of this law, it seems some agencies are ignoring Congress' commonsense mandate to make things simpler for the little guy and other agencies are actively fighting against it. On March 10, Senator KERRY, the ranking Democrat on the Small Business Committee, joined me in hosting a roundtable with representatives of small business on of the Red Tape Reduction Act. We learned that many agencies have failed to fulfill their obligations under the new law and under the Regulatory Flexibility Act which preceded it.

These important laws apply to all regulations, unless the head of any

agency can demonstrate that a new rule will not have a significant impact on a substantial number of small entities. That makes sense to me. When new regulations will affect small businesses, the agency should comply with the law so the burdens on small businesses will be identified and reduced.

You would think that agencies would embrace gladly the opportunity to help, rather than impose unnecessary burdens on the smallest of businesses. Regrettably, that just is not the case. A closer look shows that these agencies are using every trick in the book, exploiting every known loophole, and creating new ones not to comply with the law. Rather than help, they work to exempt the regulations from the law.

Here are a couple of examples: No. 1, false and ridiculous claims. EPA is infamous for its legalistic dodge, asserting that the national ambient air quality standards for ozone and particulate matter would not affect small entities. This flies in the face of our experience, when they jack the standards up so hard it requires punitive measures that harshly burden small businesses. I have heard from many government officials in towns throughout Missouri who are concerned that their constituents will lose jobs as a result of those standards.

Two, raising the bar. Agencies avoid compliance with the law by erroneously asserting a rule would not have a significant impact on small businesses. But data from the affected small businesses clearly show otherwise. They are being affected in large numbers.

Three, the artful dodge. Agencies like the EPA and OSHA avoid the law by issuing guidance and permits rather than rules subject to notice and comment. I guess they have not heard the old saying: If it walks like a duck and it quacks like a duck, it must be a duck—even if they want to call it a permit or guidance.

Fourth, the plain old loophole. The Health Care Financing Administration, HCFA, in particular has abused a narrow ''good cause'' exception to avoid following these laws.

These are just a few examples of ways to get around the law. Instead of implementing simple, needed reforms, the agencies thumb their noses at Congress and the millions of small business owners. Their sleight of hand has not gone unnoticed. I am not going to stand idly by. Too often in Washington, when we pass a law in Congress, we move on to something else and forget about it. The agencies write the regulations, implement the laws however they want to, and your unsuspecting constituents find out the law they think was passed is something else entirely once the regulators write the regulations. That is why we need to change the views of some of the Washington bureaucrats.

I am not going to look the other way. I am going to make sure the agencies do what the new law requires them to do and what is required under the Regulatory Flexibility Act. Several months ago, I asked the General Accounting Office to assess agency compliance with the provisions of the Reg Flex Act. Today, I am releasing GAO's report and findings.

While the Reg Flex Act has been the law for 18 years, GAO found that the agencies' knowledge of the actual requirements is lacking and that noncompliance is widespread. Agencies are failing right and left to meet the basic requirements of the law passed by Congress and enacted on a bipartisan, unanimous basis by the Congress in 1996.

Congress told them to look over the agency's regulations to see if there is any way we can change or eliminate regulations to make life easier for small business. That is all—just a review, just a recommendation. But they are not even doing that.

The GAO identified seven agencies that have consistently issued regulations affecting small business but have failed to conduct the periodic reviews required. What is the holdup? The agencies have thousands of employees. It seems the administrators might be able to use one or two of them to look at the regulations and see if any can be changed, particularly in this administration which touts its so-called ''reinventing Government'' plan.

Perhaps this award we are announcing today will remind them. Today I am awarding the ''Plumber's Best Friend Award,'' a plunger, to each agency which has failed to get the process moving, those agencies which need to unclog their pipelines and review existing rules. I am sending the head of each agency a letter explaining the requirements for periodic review and asking them to outline the steps they will take to get the agency in compliance.

And now for that moment you all have been waiting for. The winners of the first ''Plumber's Best Friend Award'' are: Department of Commerce, Department of Health and Human Services, Department of the Interior, Department of the Treasury, Federal Communications Commission, and the Securities and Exchange Commission.

But the grand prize winner in my book is the Small Business Administration. Believe it or not, the agency whose mission it is to safeguard the interests of and to assist small business owners has failed to follow this small-business-friendly law. Think about it; SBA should be the advocate for small business at the Cabinet table, ensuring Government-wide compliance, not showing indifference to the law. I was stunned that the SBA cannot get a passing grade.

But it gets even worse. Nine other agencies completely failed to report to Congress by March 29 on their efforts to help small business as required in the act. All agencies that regulate small entities were to provide informal compliance assistance and penalty reductions for those small businesses seeking to comply in good faith. As we have learned, if we do not require progress reports, no progress is made. So we gave everyone 2 years to figure out how to do the right thing. But nine Federal agencies could not even get a report out on time. Ask yourself what happens to a small business woman running a business out of her home if she does not get an IRS, OSHA, or EPA form filed on time. They do not just overlook it; they come down on and crack hard on the small business.

The agencies failing to even report were the Departments of Defense, Justice, Veterans Affairs, the General Services Administration, the National Archive and Records Administration, the National Space and Aeronautics Administration, the Office of Management and Budget, and the Architectural and Transportation Barriers Control Board.

But, again, most outrageous among the nine agencies that missed the deadline: the Small Business Administration. In fact, when I brought this to the SBA Administrator's attention, the SBA's general counsel had the audacity to claim the SBA was not covered by certain provisions of the law because SBA was not a regulatory agency. So today I am sending another letter to SBA, explaining why they are covered by the Red Tape Reduction Act and calling on the Administrator to take immediate steps to comply with the law.

I ask unanimous consent these three letters be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON SMALL BUSINESS,
Washington, DC. April 19, 1999.

Hon. AIDA ALVAREZ,
Administrator, U.S. Small Business Administration, Washington, DC.

DEAR ADMINISTRATOR ALVAREZ: On March 16, I requested an explanation as to why the Small Business Administration (SBA/Agency) failed to report to Congress as required under sections 213 and 223 of the Small Business Regulatory Enforcement Fairness Act of 1996 (Act of SBREFA) (Title II of P.L. 104–121). My letter also asked SBA to report to Congress on its implementation of sections 213 and 223 of SBREFA, which require agencies to provide informal compliance assistance and penalty reductions/waivers to small entities. On March 31, 1999, I received a reply from SBA's General Counsel Michael D. Schattman. Unfortunately, SBA's response was inadequate and raises additional concerns regarding SBA's understanding of and compliance with the Act. In preparing this letter, I consulted with the Congressional Research Service and the Senate Legislative Counsel, and they concurred with my analysis and conclusion that SBA's explanation for its noncompliance is inconistent with the statue on its face, a legal analysis of the statute, and the intent of Congress as documented in the legislative history.

In SBA's letter, Mr. Schattman asserts that SBA did not need to report to Congress because SBA is not a regulatory agency or, at least, not the type of regulatory agency SBA believes was covered by sections 213 and 223. The rationale behind this strained, interpretation appears to be that SBA is not covered by sections 213 and 223 because: (1)

SBA's programs ''aid, counsel and protect small business;'' (2) SBA does not ''impose penalties for regulatory violations''; and (3) SBA allegedly does not ''force small businesses to comply with laws and regulations that require them to conduct their businesses in a certain way.'' I strongly differ with the basis for SBA's rationale.

First of all, sections 213 and 223 invoke the definition of ''agency'' found in section 551 of title 5, U.S. Code. SBA is not expressly or implicitly excluded from this definition. SBA's attempt to excuse its noncompliance by claiming not be a ''regulatory agency'' also fails because the term ''regulatory agency'' is again based on the definition of ''agency'' found in section 551 of title 5, U.S. Code, which pertains to administrative procedures and rulemaking.

In general, an agency is a regulatory agency if it has statutory authority to issue rules and enforce compliance with them. SBA is, therefore, a regulatory agency. SBA issues regulations that govern the participation of small business, small governments, and small not-for-profits in the programs it administers. For instance, SBA issues regulations that determine which small businesses qualify as a small disadvantaged business (SDB), a HUBZONE small business concern, or a 7(a) lender. SBA audits compliance with and enforces the requirements of these and other regulations. If a small business is not in compliance with the regulations, SBA has the authority to remove a small business from the list of approved SDBs or HUBZONE small business concerns. SBA can disqualify a financial institution from eligibility as a 7(a) lender or a certified development company under section 504 of the Small Business Investment Act. Consequently, SBA's strained interpretation is not supported in law or fact.

The statement that ''SBA does not believe the SBREFA reports were required'' only makes sense if two points are assumed correct: (1) that sections 213 and 223 apply only to agencies that impose monetary penalties or fines; and (2) SBA does not impose monetary penalties or fine. While I might concede that section 223 speaks to penalties and fines, section 213 is not limited to compliance assistance related to regulations that carry penalties or fines. SBA's argument is further flawed because not only does SBA's enforcement authority have financial implications for small businesses, but SBA has the authority to impose monetary penalties and Mr. Schattman's letter lists four such instances. SBA appears to have gotten scarred away with its post hoc analysis of why it did not comply with these sections and their respective reporting requirements. As the Chairman of the Committee that authorizes SBA's programs, I cannot agree with the statement that ''[i]n no circumstances can SBA regulate, control or penalize a small business in the conduct of its enterprise.'' This statement does not square with SBA's statutory authority. For instance, section 687 of title 15, U.S. Code, authorizes SBA ''to prescribe regulations governing the operation of small business investment companies, and to carry out the provisions of this Act. . . .'' SBA's claim is also contradicted by its inclusion in the November 9, 1998-edition of Unified Agenda of Regulatory and Deregulatory Actions and the publication of SBA's regulatory plan, outlining the Agency's regulatory priorities, and SBA's semiannual regulatory agenda. It is clear that SBA must be enforcing the regulations it promulgates.

In addition, Mr. Schattman's letter lists four instances where SBA can impose monetary penalties on Small Business Investment Centers (SBICs) or individuals obtaining disaster loans. This fact alone appears to discredit the assertion that SBA is not covered by section 213 and 223. SBA's argument is further undermined by the fact that many SBICs meet SBA's definition of a small business and a small business concern can be a borrower under the disaster loan program. Consequently, we need look no further than SBA's own letter to identify situations that trigger SBA's obligation to comply with sections 213 and 223. Ironically, SBA's authority to enforce its regulations and impose penalties is by no means limited to these four situations.

While I believe SBA's narrow definition of what constitutes a regulatory agency is without merit, even conceding this constrained definition for argument's sake, SBA's letter contradicts itself further. In the letter, the Agency confirms it is covered by section 222, which created the Small Business and Agriculture *Regulatory Enforcement* Ombudsman and Small Business *Regulatory Fairness* Boards. (emphasis added.) The Ombudsman listed SBA as a covered agency in its reports covering 1997 and 1998, and Mr. Schattman's letter notes that SBA gladly accepts credit given it by the SBA-appointed Ombudsman. This appears to conflict with SBA's assertion that it does not regulate small businesses. In fact, in the Ombudsman's 1997 report, SBA is the subject of two complaints from small businesses that ''involved enforcement or compliance activity undertaken by a federal regulatory agency with regard to a small business.'' When the SBA-appointed Ombudsman provided SBA with a copy of the draft report for review, SBA wrote back stating it had no comment on the report. In its letter regarding the next year's draft report, SBA alleged that it was not a regulatory agency; however, in that same letter, SBA says that it will give small businesses notice of their right to comment to the Ombudsman when ''we engage in enforcement procedures.'' The letter also references SBA's ''enforcement and compliance activities.'' Again, I fail to see how SBA can argue that it is covered under section 222 and not sections 213 and 223.

Mr. Schattman's letter failed to mention that numerous small businesses complained to the Ombudsman about SBA's enforcement actions. In fact, the Ombudsman's recent report states that SBA was mentioned in 18 written comments and by 16 people that testified before the Enforcement Ombudsman and Fairness Boards. While some of these complaints may not fall within the Ombudsman's authority, they would seem to imply that SBA's rules and regulations do indeed affect the operations of small businesses. As an example, one small business complained about SBA's denial of a guaranteed loan. In response, SBA informed the company why the ''good cause'' waiver of the 7(a) loan program's ''prior loss rule'' did not apply. SBA's own corrective action, informing the District Offices of the procedures to follow, further suggests that the requirements of section 213 and 223 are applicable to SBA.

In addition, Mr. Schattman wrote that ''SBREFA only addresses enforcement proceedings. . . .'' Quite to the contrary, the Act amended chapter 6 of title 5, U.S. Code (commonly known as the Regulatory Flexibility Act) to address explicitly rulemaking activities affecting small entities. In fact, SBA's Office of Advocacy, which is referenced in the letter, is actively involved in the Small Business Advocacy Review Panels created under the Act and is exercising its authority to file amicus briefs in cases initiated by small entities aggrieved by agency noncompliance with the requirements of the Regulatory Flexibility Act. While improving fairness toward small entities during agency enforcement actions is an important part of the Act, the law also addresses agency rulemaking and informal compliance assistance with statutes and agency regulations.

In conclusion, there is nothing in Mr. Schattman's letter that relieves SBA of its obligation to comply with sections 213 and 223. Moreover, there is nothing in the law that allows SBA to forego the requirement to report to Congress on its implementation of these sections. While SBA may not be a regulatory agency of the magnitude of the Environmental Protection Agency or the Occupational Safety and Health Administration, the scope of SBA's activities, its programs and rulemaking activities are consistent with the definition of a regulatory agency. The simple fact that SBA has the authority to issue regulations that affect small entities—positively or negatively—triggers the need to comply with the Act. Furthermore, the Act provides agencies with broad discretion to implement the general requirements of these sections in accordance with the agency's underlying statutes and programs.

It would be an oversight if I did not express my disappointment with SBA. Indeed, I would have expected SBA to lead the charge to comply with this law, which was enacted in great part to implement recommendations from the 1995 White House Conference on Small Business. However, it appears that rather than engaging its attorneys in an effort to comply with the law, SBA instead asked them to devise a rationale to justify noncompliance. This is unacceptable. Consequently, I request that SBA immediately implement programs to provide compliance assistance to small entities and to offer penalty reductions, or waivers, where appropriate, and keep this Committee apprised of your efforts. I look forward to receiving a response by 3:00, April 29, 1999, detailing the steps you will take to bring SBA into compliance with SBREFA.

Should you need additional information, please contact me or Suey Howe, the Committee's Regulatory Counsel, at 224–5175.

Sincerely,

CHRISTOPHER S. BOND,
Chairman.

U.S. SENATE,
COMMITTEE ON SMALL BUSINESS,
Washington, DC, March 16, 1999.

Hon. AIDA ALVAREZ,
Administrator, U.S. Small Business Administration, Washington, DC.

DEAR ADMINISTRATOR ALVAREZ: The Small Business Regulatory Enforcement Fairness Act of 1996 (Act) required federal agencies that regulate the activities of small business to implement programs to provide informal compliance assistance and penalty reductions/waivers to small entities, including small businesses, small governments and small not-for-profit organizations. All such federal agencies, including the Small Business Administration (SBA or Agency), were to report to Congress on implementation of these programs no later than March 29, 1998—nearly one year ago. To date, SBA has not submitted to this Committee the reports to Congress required under Sections 213 and 223 of the Act.

As Chairman of the Senate Committee on Small Business and as the principal author of the Small Business Regulatory Enforcement Fairness Act, I request a detailed explanation why SBA failed to fulfill its statutory obligation to report to Congress on SBA's implementation of the requirements under Sections 213 and 223. Furthermore, I request that SBA provide these reports to this Committee, as well as the other committees named in the statute to receive the reports, by March 31, 1999. Moreover, should SBA fail to meet a statutory deadline in the future, I expect the Agency to advise this

Committee of its failure in writing, describing why the deadline was missed and when the required activities will be completed. In closing, and perhaps most importantly, SBA's failure to comply with these reporting requirements raises questions regarding the Agency's commitment to fulfilling its responsibilities under the Act, which was enacted by Congress to ensure that federal agencies treat small businesses fairly in rulemaking and enforcement activities.

Should you need additional information, please contact me or Suey Howe, the Committee's Regulatory Counsel, at 224–5175.

Sincerely,

CHRISTOPHER S. BOND,
Chairman.

U.S. SMALL BUSINESS ADMINISTRATION, OFFICE OF GENERAL COUNSEL,
Washington, DC, March 31, 1999.

Hon. CHRISTOPHER S. BOND,
Chairman, Committee on Small Business, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I have been asked by Administrator Alvarez to respond to your letter of March 16, 1999, to provide you with my legal interpretation of the Small Business Regulatory Enforcement Act (SBREFA). The Small Business Administration (SBA) strongly supports SBREFA. As an Agency we are very sensitive to the problems that small businesses face in dealing with regulatory agencies that impose penalties for regulatory violations and force small businesses to comply with laws and regulations that require them to conduct their businesses in a certain way.

However, SBA is in a different category. All of our programs and activities are specifically designed to aid, counsel and protect small businesses. Unlike regulatory agencies that set policies with which small businesses must comply, SBA provides assistance and counseling. As you know, SBA reports annually, and in many cases more often, on its program activities and the assistance it provides. Therefore, SBA does not believe the SBREFA reports were required.

Rather than regulate small businesses, we provide small businesses access to capital indirectly by guaranteeing loans made by our lending resource partners. Through our Small Business Development Centers, we counsel and train small businesses to start or grow their businesses, often by providing them with information on SBA's programs. Also, SBA assists small businesses in obtaining government contracts through our procurement programs and through working with other Federal agencies to encourage them to contract with small businesses.

SBA is committed to ensuring that we meet both the spirit and dictates of SBREFA. We provide support to the National Ombudsman and the Regulatory Fairness Boards. As you know, the Office of the National Ombudsman is fully staffed and can draw on the resources of the Agency whenever necessary. After consulting with the National Ombudsman, we established a process to respond speedily and thoroughly to small business issues raised with the National Ombudsman.

In fact, we received special mention in the Ombudsman's Report filed with you on March 1, 1999, for our commitment to using high-level, independent staff to process SBREFA comments. Additionally, we are constantly developing new ways to reach as many small businesses as we can to tell them how to take advantage of our programs.

SBA is not a ''regulatory'' agency. It does not, except in very rare instances, impose penalties or conduct enforcement activities. In fact, there are only four instances in which SBA can impose a monetary penalty. (The four instances are: SBA may impose a penalty on an SBIC for failure to cooperate in an examination or for providing books and records in poor condition; SBA may impose a penalty on an individual who wrongfully applies disaster loan proceeds; SBA may impose a penalty on an SBIC for every day that an SBIC fails to report pursuant to the Small Business Investment Act; SBA may impose penalties on a lender or a fiscal transfer agent in certain circumstances.) None of these four penalties are imposed against small businesses—two may be imposed on Small Business Investment Companies, one may be imposed on individuals receiving disaster loans, and one may be imposed on lenders or fiscal transfer agents. In no circumstance can SBA regulate, control or penalize a small business in the conduct of its enterprise.

However, SBA is covered by other sections of SBREFA and has been very responsive to the Regulatory Fairness Program (RegFair) developed by the National Ombudsman and Regional Fairness Boards. For example, we eagerly participate, as an Agency, not just through the Ombudsman's Office, in regional RegFair meetings.

While SBREFA only addresses enforcement proceedings, I would be remiss in not mentioning SBA's Office of Advocacy. The Office of Advocacy works with Federal agencies in developing regulations that address small business concerns. The Office of Advocacy helps ensure that agency policies are structured in such a way that agencies, using fair enforcement policies, can achieve their missions with the least possible burdens on small entities.

SBA strongly supports your efforts on behalf of small business and believes that, working together, we can provide a more positive atmosphere in which small businesses can flourish. I would be glad to meet with you or your staff to discuss this further.

Sincerely,

MICHAEL D. SCHATTMAN,
General Counsel.

Mr. BOND. For the Reg Flex and Red Tape Reduction Act to deliver the benefits intended by Congress, the agencies must comply with the law. It is that simple. Too many agencies, too many officials, unfortunately, in this administration seem to have the attitude that they are Olympians on the hill who know what is best for the peasants in the valley, when it really is the other way around. We should be listening to what the people who create the jobs and the economic well-being in our country, the small business sector, are saying.

Perhaps these plungers will help unclog things. But if sunshine and friendly persuasion will not work and if a plumber's friend cannot get it unclogged, it may be time to put civil penalties and fines in place so the agencies know we are serious. The job we are telling them to do is simple: Help small business, don't hurt it. If they will not do it, if the plumber's best friend won't help them, then we will change the law again and impose some penalties.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THOMAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THOMAS. First of all, I have a couple of unanimous consent proposals.

AUTHORIZING THE USE OF THE EAST FRONT OF THE CAPITOL GROUNDS

Mr. THOMAS. Mr. President, I ask unanimous consent the Senate proceed to immediate consideration of H. Con. Res. 52, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 52), authorizing the use of the East Front of the Capitol Grounds for performances sponsored by the John F. Kennedy Center for the Performing Arts.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. THOMAS. I ask unanimous consent the resolution be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the resolution appear at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 52) was agreed to.

PERMITTING THE USE OF THE ROTUNDA OF THE CAPITOL FOR A CEREMONY IN HONOR OF THE FIFTIETH ANNIVERSARY OF THE NORTH ATLANTIC TREATY ORGANIZATION

Mr. THOMAS. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of H. Con. Res. 81.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 81) permitting the use of the Rotunda of the Capitol for a ceremony in honor of the Fiftieth Anniversary of the North Atlantic Treaty Organization (NATO) and welcoming the three newest members of NATO, the Republic of Poland, the Republic of Hungary, and the Czech Republic, into NATO.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. THOMAS. I ask unanimous consent the resolution be agreed to and statements relating to the resolution appear in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 81) was agreed to.

Mr. THOMAS. Mr. President, I rise to introduce a bill called the No-Net-Loss of Private Lands Act. If I may have 10 minutes to do that, please.

THE PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. THOMAS. I thank the Chair.

(The remarks of Mr. THOMAS pertaining to the introduction of S. 826 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. THOMAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BUNNING). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I ask consent to speak for 20 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATO ACTIONS IN KOSOVO

Mr. DORGAN. Mr. President, I wanted to speak about three items today. First, I want to talk for just a moment about Kosovo and the NATO actions in Kosovo.

I had a town meeting in North Dakota over the weekend and had a fairly large number of North Dakotans pack into a rather small room, and we had a 1½ hour discussion about the airstrikes in which NATO, including the United States, is involved in Yugoslavia and in Kosovo. I expect I am joined by all of my colleagues when I say I hope and pray the hostilities in the region will cease. I hope Mr. Milosevic will pull back his Serb troops and that we will be able to restore peace and order and have the opportunity to find a way to provide those refugees who have streamed across the border the opportunity to go home.

Most North Dakotans who have communicated with me, and those who came to this weekend's meeting I had in Fargo on this subject, are anxious and nervous and concerned about what is happening in the region.

They do not have any better answers than I or my colleagues, or anyone else for that matter, on what to do when someone like Mr. Milosevic commits genocide or ethnic cleansing, including substantial massacres of the civilian population in the region of Kosovo.

The question that all of us at this weekend's meeting in North Dakota posed was, What shall we do? Shall we say it is none of our business, it is not in our part of the world? Genocide committed by Mr. Milosevic or ethnic cleansing is not something we need to be concerned about? I think most people believe that is not the answer either.

Clearly, we do not want in 5 or 10 years from now to look back and say, that genocide or Holocaust, or whatever it was Mr. Milosevic committed, killing thousands, perhaps ultimately hundreds of thousands, is something that we did not care about. If that were the case, I think it would be reasonable to say shame on us.

We must be involved and we must care. The question is, How do we address it? How do we effectively thwart the attempt by Mr. Milosevic to clear all of the Albanians out of Kosovo? How do we thwart his attempt to massacre innocent civilians with the Serb Army? How do we restore order to this region?

I have supported the airstrikes, and I hope and pray they succeed in driving Mr. Milosevic back. I have said before and I reiterate today that I do not and will not support the introduction of U.S. ground troops to the Balkans. I think that would be a horrible mistake.

Frankly, the bulk of the airstrikes have occurred in the Balkan region with U.S. planes and U.S. pilots. If, in fact, ground troops are ultimately needed, I believe it is the responsibility of the European countries to commit those ground troops. I know NATO is involved in this as an alliance, and we are a significant part of that alliance. But the United States bears the heaviest burden in the air war, bears the heaviest cost in the airstrikes, and I think if ground troops ultimately are necessary—and I hope they will not be—I think those ground troops must be furnished by the European countries. I will not support the position that we should introduce U.S. ground troops in the Balkans. I believe that would be a serious mistake, and I cannot and will not support that.

Let me again say, I do not believe my constituents or my colleagues have any easy answers. This is not an easy situation. Things are happening in the Balkans that I think all of the world looks at with horror and says, ''We must do something to try to respond to it.'' But it is not easy.

Dozens of foreign powers over many centuries have gone to the Balkans only to experience profound disappointment in their attempt to change something that was internally happening in that region of the world.

Let me hope, along with my colleagues, that these airstrikes by NATO will convince Mr. Milosevic that the price is too high to continue doing what he is doing in that region to so many innocent men, women, and children. Let us hope that this is a success sooner rather than later and we can provide some peace and stability to that region.

FAMILY FARMERS

Mr. DORGAN. Mr. President, I want to talk just for a moment about agriculture and the challenge facing agriculture.

On Saturday, I was in an airplane and opened up a newspaper to an interesting article. I have spoken about agriculture and family farmers during the past weeks. I have talked about what is happening in our part of the country with the depopulation of middle America, rural communities drying up—shriveling like prunes, people moving out—not moving in, Main Street businesses boarding up, family farmers going broke, and nobody seemingly caring very much.

The business section of the Minneapolis Tribune had two fascinating stories on the front page. They respond in a kind of perverse way to what is happening, both in this Chamber and also around the country with respect to the policy dealing with family farmers.

The first article: ''Cargill Profits from Decline in Farm Prices; 53 percent jump in earnings expected.'' Cargill is a large company and has always done quite well, I believe. It is a privately held company. It purchases agricultural products and is involved in a wide range of activities adding value to agricultural products.

''Cargill Profits from Decline in Farm Prices.'' Is that unusual? No. Big agribusinesses all too often are profiting from the misery of America's family farmers. Family farmers on the one side go broke; while Cargill sees a 53 percent jump in earnings. Cargill, incidentally, wants now to marry up with Continental Grain. Cargill and Continental want to get married, merge, and become bigger, with more market power.

In the question of market power, it is reasonable to ask, who wins and who loses? Family farmers all too often lose, and those with the most market power win. ''Cargill Profits from the Decline in Farm Prices.'' You could wipe out the name ''Cargill'' and include any number of agribusinesses. I am not picking on Cargill; they just happened to be in this paper on Saturday.

Let's go to the article on the bottom of the front page. Family farmers are going broke because commodity prices have collapsed. The price of wheat has collapsed. The article states, ''General Mills to boost cereal prices 2.5 percent'':

> General Mills, Inc., the maker of Cheerios, Wheaties and Lucky Charms, is raising cereal prices an average of 2.5 percent.

One might ask the question, in terms of public policy, What is going on in this country when the folks who gas up the tractor in the spring, borrow money to buy seed, fertilizer, plant the crop, harvest the wheat, sell it in the market, and then go broke because they are told that the wheat they produced from their fields has no value? But the people who buy that wheat and turn it into Cheerios or Wheaties or Lucky Charms, even though the prices of commodities have collapsed and they are paying the farmer less—in fact, so little that family farmers are going broke in record numbers—they say they need to boost cereal prices that people pay at the grocery store.

I woke up this morning and I ate a bowl of cereal. I will not advertise which cereal it was, but I ate a bowl of cereal. I looked at the box, after I had seen this in the paper on Saturday, and I read the label about what is in this

cereal I am eating. I will tell you what is in the cereal—grain.

So this company buys it from farmers, pays them a pittance, and then they puff it or crisp it or shred it. Once they have it all puffed and labeled as Puffed Wheat or Shredded Wheat, the process is all done. They have added the air to the grain or they have shredded it with a knife, then they put it on the grocery store shelf and charge a fortune for it.

Buy a box of cereal at the grocery store and ask yourself whether you like that price. Now, they say it is not enough. While farmers are going broke, they say they need to boost cereal prices. Talk about a disconnection and evidence that the market system does not work in agriculture. There must surely be a golden rule here, the one that says—those who have the gold make the rules—there must be a golden rule here that says cereal manufacturers can increase prices with impunity while family farmers go broke because they are selling their grain at the elevator and are told that their food has no value.

I mentioned last week an auction sale by a farm wife in North Dakota. She wrote a letter and said they were forced to sell out. She said her 17-year-old son would not even come down, he stayed in bed during the day of the auction sale and refused to come down to witness the auction sale of this farm because he was heartbroken. It was breaking his heart. It was breaking his heart that they were having to sell their farm. He wanted to farm.

This is all about human misery, failure—and it is not their fault. It is not the family farmers' fault that commodity prices have collapsed at the same time we have a hungry world. Hundreds of millions of people go to bed with an ache in their belly every night because they do not have enough to eat, while our farmers are told their product has no value. And when companies take the farmers product and turn it into cereal by puffing it, then they send it to the grocery store, they say it not only has value, in fact, they are announcing a price increase. Yet, they have received record profits and now want to increase cereal prices.

I want to put up a chart that shows the average annual return on equity for the major cereal manufacturers, 1993 to 1997: 29 percent, 24 percent, 25 percent, 22 percent.

Our family farmers are going broke raising the products that go into these cereals; and the largest corporations that make cereal are making very substantial returns on their equity. There is something wrong with that economic system. Some say, ''Well, that's just the way it works. The big get bigger and the small get phased out.'' If this country decides it is worth losing family farmers, it will have lost something of great value to our country.

Some in this Chamber think having only giant agrifactories around in the future is fine. They will buy up farms from coast to coast. Only having large farms in America is not fine with me. This country will have taken a giant step backwards, unless we fundamentally change the farm law this year and provide a decent safety net for family farmers. We do it for another segment in our economy. We provide a safety net for workers with a minimum wage.

Family farmers were told, under the current farm bill—about 3 years ago—''We're going to pull the safety net out from under you.'' And then, of course, prices collapsed, and the result is family farmers have no effective safety net.

I just say that when you look at what is going on in the business page of the newspaper, ''Cargill profits from decline in farm prices'' and ''General Mills to boost cereal prices''—I do not mean to single out these two companies, they are doing what economic clout and power allows them to do—but it is unfair to family farmers.

We have asked for substantial investigations by the Justice Department about the concentration of economic power and what it is doing to the family-sized farm. I hope the Justice Department will move, and move aggressively, on these issues. But more importantly, this Congress needs to decide, in the next few weeks, whether it wants family farmers left in this country. And if it does, we have to do a U-turn on farm policy and reconnect a decent safety net for family-sized farms.

I know what some people say, ''Well, all this is wonderful, but it's boring and it's not very important.'' It is critically important to families out there struggling to make a living.

Will Rogers said, many years ago, ''You know, if on one day all the lawyers on Wall Street failed to show up for lunch, it wouldn't mean a thing for this country. But if one day all the cows in our country failed to show up to be milked, that would be a problem.'' What he was trying to describe was a difference between those who move paper around in America and those who produce real products on the farm, that are of real value and contribute to feeding our country. That admonition by Will Rogers is just as important today.

I hope the Justice Department will take a look at the Cargill-Continental merger with a critical eye, to say, why do we need corporations in this system, already too large, to get bigger? Why do we need them to impose their economic will on small producers? Why do we need to give them more economic clout to do that?

I hope the Justice Department will look at market concentration in meat packing and in a whole range of other areas, because those are the kinds of things that are undermining the foundation of America's family farms.

A number of us will speak at greater length on these issue in the coming days, because we must convince this Congress that we have a responsibility to develop a farm program that works, one that tells family farmers: ''You matter to our future. And we want you to be able to make a decent living if you work hard on the family farm.''

INCOME TAXES

Mr. DORGAN. Mr. President, last Thursday was tax filing day, and we had a number of my colleagues come to the floor of the Senate and talk about taxes. I have yet to meet anybody who likes taxes. I know taxes pay for the cost of civilization. I know we would not have the kind of country we have in this country without taxes. I know that the ability to drive on good roads, to have a police force, to have a fire department, to have a Defense Department, to have safe food through food inspectors, to be able to control our borders—all of those things require the payment of taxes.

But our tax system has become enormously complicated, and it ought to change. I authored, about a year and a half ago, a proposal called the Fair and Simple Shortcut Tax Plan; it is called the FASST Plan.

You want to file your tax return with minimum bother? You want to avoid having to file an income tax return at all? Then this is a plan that will work for you.

It was not too many years ago that the American people, by and large, did not have to file an income tax return because only a small percentage of the American people paid income taxes. About 6 percent of the American people had a requirement to file a tax return. The rest of the people did not. For those who had to file, they had a very thin instruction booklet, just a couple of pages.

Now we have an instruction booklet with our income tax return that looks very much like a J.C. Penney's catalog. We have moved dramatically in the wrong direction with a highly complicated federal income tax system. Taxpayers are spending more than 3 billion hours at a cost of some $75 billion in trying to comply with our federal income tax laws every year; and it need not be that way.

We have had people come to the floor of the Senate to say, ''I have a better idea. Let's abolish the whole federal income tax.'' I would like to know what they want to put in its place before abolishing it. Others say, ''Let's have a flat tax so that the person making $30,000 a year can pay the same tax rate as Ross Perot or Donald Trump pay.'' I do not happen to share that belief.

Still some others say, ''Let's have a national sales tax; get rid of the income tax and put a national sales tax on everything.'' I don't know how much you would like to buy a home and discover you have to pay a 35 percent sales tax on the value of the home. Or if that is the first thing you would exempt, how much higher would the national sales tax rate increase in order to get the required money to make the difference?

My point is, it sounds great to say, ''Let's abolish the income tax,'' but I want to know what you want to do in place of it. Some would say—and some have offered plans here in the Senate and the House—''Let's have a different tax system. Let's have one that taxes work. You go out and work for a living? We want you to pay a tax. But if, on the other hand, you get your income from capital gains, dividends or interest, you don't pay a tax. Let's tax only activities from work; and let's exempt investments.''

I guess that sounds pretty good, if all your income comes from investment. Guess who would pay taxes and be exempt under that kind of scheme. The wealthiest folks would be exempt and the working people would pay the taxes. That is a tax on work.

My point is, let's take a look at seeing if we can't change the current system in a way that benefits at least a fair number of the American people.

Here is what I propose we do. More than 30 countries have some kind of income tax system in which most of the taxpayers, or many of the taxpayers, do not have a requirement to file an income tax return. Here is how I would propose we do it. Everyone who signs in at work for a job fills out a W–4 form. It says, My name is so and so. My Social Security number is x, y, and Z. I'm claiming this many allowances. And I am married, filing jointly, or whatever that information would conclude; and therefore your employer calculates how much income tax shall be withheld from your weekly or monthly wage.

I propose an approach where we would put a couple of extra lines on the W–4 form, and for a lot of Americans—perhaps 60 to 70 million Americans—with a few extra checkmarks on the W–4 form, their withholding at work will become their exact tax liability for the year. They would have no requirement to file a tax return—no return to be filed at all—therefore, no trips to the post office on April 15 and no worry about major audits. What is your wage? and based on what you checked on your W–4 form, what kind of withholding is necessary.

Let me give you an example of how we would do that. Families earning up to $100,000 in annual wages—$50,000 for singles—and up to $5,000 in capital gains, dividends and other non-wage income—$2,500 for singles—may elect this tax return-free filing system at work. This other income would be tax free. When they sign in at work, they would simply fill out a slightly modified W–4 form that allows them to have their employers withhold their exact tax obligation computed by using a table provided by the IRS, and they would pay a single low tax rate of 15 percent on their wages. They would still be allowed their standard deduction, their personal exemptions, a deduction for home mortgage interest and property taxes paid, and their child tax credits. Those would be the couple of extra boxes checked on the W–4 form. But by and large, this would radically simplify income tax filing for 60 to 70 million Americans to say to them, check these extra boxes, you, therefore, do not have to file an April 15 tax return. You have a flat 15-percent tax rate on wages, and your other income, up to $5,000 for married, filing jointly, is totally exempt from any income tax obligation.

This system makes a great deal of sense in my judgment, and, as I indicated, anywhere from 60 to 70 million Americans will be able to decide if they want to use this system and, therefore, not be required to file any income tax return at all on April 15.

The reason I am describing this system today is the discussion last week on tax day was interesting. I do not quarrel with those who say we ought to change the current tax system. Yes, we should.

The first step would be to dramatically simplify the responsibility for filing income tax returns for the bulk of the American people. I am saying that the majority of taxpayers could avoid having to file any income tax return at all on April 15, could avoid all of the problems of getting paperwork together, and could stop worrying about a subsequent major audit. They could avoid all of that with the Fair and Simple Shortcut Tax plan.

My proposal allows every taxpayer, if they want, to compute and file their tax returns under the old system. You could get your tax return and your catalog size instructions, and you can go through it and you can labor and agonize and sweat and talk to accountants if you want. That is your choice. You will have the choice. But the second choice and I believe much more appealing for most Americans is to access the return-free income tax system with a single 15-percent rate, with the abolition of both the marriage tax penalty and the Alternative Minimum Tax under this system, with up to $5,000 of capital gains, dividends and interest income completely tax free.

We can do this. We can do it easily, and we can do it now. More than 30 countries have some kind of approach like this. This is better tailored to our system, but some 30 countries already have some form of a tax return free system. This country can do that for the 60 to 70 million Americans it would relieve of having to file an annual federal income tax return.

As we debate and discuss the tax system in this Congress, it is important for us to listen to all of the ideas that exist, and there are plenty, some wonderful, some crackpot, some workable, some unworkable. This, in my judgment, is a system that can be implemented almost immediately, is eminently workable, and will address the first roadblock that exists in our current income tax system—that is, complexity. It can eliminate all of the complexities all at once for up to 60 to 70 million American people. That makes a great deal of sense.

I will be visiting with a number of my colleagues about it, and we are going to introduce it as a formal plan very soon. I hope that some of my colleagues will consider it favorably.

Mr. President, I yield the floor.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

EXTENSION OF MORNING BUSINESS

Mr. MURKOWSKI. Mr. President, it is my understanding that morning business is to conclude at 2 o'clock. Therefore, I ask unanimous consent that morning business be extended with Senators permitted to speak for up to 10 minutes each. I believe I have 20 minutes reserved; is that correct?

The PRESIDING OFFICER. That is correct.

Without objection, it is so ordered.

Mr. MURKOWSKI. I thank the Chair, and I wish my friend a pleasant afternoon.

KOSOVO POLICY

Mr. MURKOWSKI. Mr. President, I come to the floor today to discuss certain aspects of our military campaign in Kosovo that deeply trouble me.

We are now into the fourth week of the NATO bombing campaign, and so far things are far worse for the Albanian Kosovars who have been systematically uprooted from their homes and either killed or driven into exile in neighboring countries. Many of their homes have been burned to the ground. Whole villages have been destroyed, with the result that hundreds of thousands of people have become refugees with no worldly possessions except what they could carry on their backs.

On March 23, on the eve of NATO's bombing campaign, Secretary of State Madeleine Albright stated that there was a specific purpose, and that was to:

> Deter Slobodan Milosevic from continuing on this rampage and going in and torching—having his soldiers and special police torch the villages. So it is designed to deter that, and also to damage his capability to do that.

Well, less than 4 weeks later, it is clear that Secretary Albright and the Administration seem to have misjudged Milosevic. NATO bombing has in no way deterred the torching and ethnic cleansing. It has, in fact, intensified since the bombing began. There can be no doubt that if, as Secretary Albright stated, our goal was to deter the rampage against the ethnic Albanians, our policy has failed.

When it became apparent to the Administration that its policy of protecting the Albanian Kosovars had failed, the Administration in early April shifted the message and claimed that the bombing was designed to ''degrade'' Serbia's military capacity. However, we appear to be doing this indirectly in that our bombs and cruise

missiles have been targeting infrastructure, specifically bridges, oil refineries, rail lines, and telecommunications, rather than hitting tanks, heavy guns and, of course, the troops.

Despite the massive air campaign, the Serbs' ability to wage war on Kosovo continues unabated. Fuel for the Serbian war machine flows through Montenegro, whose ports are filled with tankers. Although we have sought to blockade the ports, our allies, primarily the French, have blocked that effort for fear of widening the conflict.

What greatly concerns me, however, is that while the Serbian war machine continues to roll south unimpeded, it is the American military that has been substantially degraded by the shortsighted policies of the Clinton administration.

When NATO bombing began, the military fired between 30 and 50 air-launched cruise missiles targeted primarily against Serbian air defenses. The air-launched cruise missiles are a critical element in our military because they can be fired hundreds of miles away from heavily guarded targets without directly risking pilots and other air personnel. In addition, since they rely on global positioning satellites for navigation, they can hit their targets in both good and bad weather.

Unfortunately, there is a crucial shortage of cruise missiles because the Administration has had a propensity to use them for some dubious purposes in the past. In the short 4-day bombing that occurred in Iraq, Operation Desert Fox, the United States used 90 air-launched cruise missiles. We fired an additional barrage of cruise missiles against Sudan and Afghanistan last summer. In both instances, it is not clear that we achieved any policy objectives beyond using up a large percentage of our arsenal of cruise missiles.

Now, what is truly astonishing is that today the United States is not, and I emphasize not, producing a single cruise missile. There is not a single production line operating that is manufacturing or refitting cruise missiles to replace the missiles in our arsenal.

Today there are only 90 to 100—that's right—90 to 100 air-launched cruise missiles in our inventory. They apparently won't be replaced any time soon.

Because of operations in Kosovo, the Office of Management and Budget has requested $51 million to convert 92 nuclear-tipped cruise missiles into conventional cruise missiles. That is what it cost—almost a half million dollars each for that conversion. However, the first converted cruise missile would not be available for at least 7 months, by November at the earliest. If the production line for new air-launched cruise missiles was reopened at Boeing, it would take several million dollars of commitment and funding simply to restart it. Even if that happened, the line would not even begin producing new missiles for more than a year.

Why have the cruise missile production lines closed? The answer appears to be that a new generation of air-launched cruise missiles will be added to the Air Force's inventory, and the military hence decided it no longer needed to add to its current inventory. However, the new generation of missiles will not be available before 2001 or 2002 at the earliest.

Given President Clinton's propensity to fire off cruise missiles apparently at whim, and given Secretary Albright's blustery rhetoric, we wonder if anyone in the Administration in recent years gave consideration in advance to reopening the closed production lines to allow us to rebuild our inventory before we began the air campaign in Yugoslavia. Or did they believe that diplomatic bluster from the State Department would convince adversaries that military confrontations would not happen until our new generation cruise missiles were on line in 3 to 4 years?

A similar, but less dangerous, scenario exists with the Navy cruise missile, the Tomahawk. During the past 10 years, we have had approximately 2,500 Tomahawks in our inventory. That number is down considerably—down to about 2,000 since we used 330 during the 4-day bombing in Operation Desert Fox and 150 by the Navy so far in Kosovo. As in the case with the Air Force, the Tomahawk production line has also been shut down because a new generation of missiles will be produced. However, again that missile production will not be available before the year 2003.

By one estimate, the cost of restarting the Tomahawk production line would be $40 million, and it would take 2½ years before a missile, a single missile, would come off that line. Clearly, this is not an option. Although the Navy is seeking $113 million to remanufacture 324 older model Tomahawks, those will not be available in the foreseeable future.

Mr. President, there are very strong indications that if nothing changes, the bombing campaign in Yugoslavia could last through the summer. Quite frankly, I do not believe that anyone in the Administration really knows how long this campaign is going to continue. But so long as the air campaign continues, the shortage of cruise missiles means that it is our pilots who will have to take greater risks and they will be subjected to those risks.

It is our pilots who will have to hit the facilities that cruise missiles could have hit. They will have to deal with the surface-to-air missiles and ground fire that have a minimal impact on the unmanned cruise missiles. They will have to deal with the vagaries of the weather, something that does not affect the capabilities of our cruise missiles.

Moreover, we have many responsibilities and vital interests in other areas throughout the world. What would happen if Saddam Hussein began posing threats to Kuwait again? What would happen with regard to threats that we have seen regularly coming from North Korea? A recent article in the Washington Post quoted Russian analysts who have been interviewed from time to time and have picked up sensitive material advising us of the North Korean officials and their continued threat. North Korean officials have indicated that the NATO bombing has had a sufficient impact on their Government that could lead to further upgrades of its missile and military capability.

Clearly, the severe shortage of cruise missiles diminishes some of our military options and surely makes the world a more dangerous place.

But the shortage of cruise missiles also reflects on the shortsightedness and overcommitments made by the Administration over the last few years. At the same time that this Administration was committing us to military interventions of some dubious purposes, they have been cutting military spending. They have shortchanged our military readiness because they have been unwilling to sacrifice domestic spending and provide our troops with the necessary means to carry out our military objectives, and particularly to have an adequate inventory.

Now that we are engaged in this very serious mission in Kosovo, the shortfalls in our military spending are becoming dangerously obvious. I believe it is incumbent on the Administration and Congress to realistically assess the state of our military readiness and to provide the appropriate funds to maintain that we, indeed, have a technological support base for our troops and adequate inventories of cruise missiles and other military armaments.

At the same time, we need to have a real debate about the goals in this conflict in Yugoslavia and our strategy to achieve those goals. I fear the Administration completely miscalculated when it launched the air campaign. It is my view that they thought the air campaign would be a short campaign. I believe they assumed that the Serbs would immediately retreat when the bombs began to descend and that the Serbs would passively accept Secretary Albright's demand that NATO troops be positioned in Kosovo.

That has not happened. And now the question is, What is next? Why are we to assume that if bombing had not worked in this last 4 weeks, that another 4 weeks or another 4 months of bombing will change anything on the ground? History suggests that bombing by itself tends to steel the will of the people who are under assault. Why would the Serbian people react any differently than the people of London, who endured far harsher bombings by the Nazis and still never gave in?

Mr. President, it has been said that when it comes to the Balkans, there are no good options. What is clear to me is that even if the refugees would somehow be allowed to return to Kosovo, a very large occupation force on the ground, including Americans,

would be needed to maintain any semblance of peace, and that force would be required to stay not for months but for years, and perhaps decades.

This is not an outcome I can support. We were told by the President that we were only going to be in Bosnia for 1 year. Four years later, we are still there and there is little sign that Bosnian peace can survive without a military presence to maintain that peace.

I think it was shortsighted of the Administration to allow cruise missile production to end and to initiate a conflict without an adequate inventory. That same shortsightedness marks our foreign policy. And the result today is that we are engaged in a conflict, with NATO's credibility on the line.

I believe the only solution to the crisis in Kosovo is to re-engage the Serbs in diplomatic negotiations. Most importantly, we need to recognize that the ethnic conflicts in the Balkans have a long history and the people living there may never live in peace so long as the borders are drawn as they are today. Unfortunate as this may be, it may ultimately become necessary to redraw some of those borders in the Balkans to reflect political and ethnic realities.

Mr. President, I came across an article written by David Greenberg. Mr. Greenberg writes the History Lesson column for Slate and is a Richard Hofstadter fellow in American history at Columbia University.

This particular article poses the question, What solution does history dictate for Kosovo?

I thought it an excellent treaty on the history and background. Knowing the Presiding Officer's familiarity with this particular subject, I will read this article into the RECORD at this time.

Mr. Greenberg writes:

Ever since the United States began contemplating doing something about war and ethnic cleansing in the collapsing state of Yugoslavia in 1991, all sides have invoked history as a guide to action. Those who opposed involvement in Bosnia in the early '90s—and who doubt that NATO can bring peace to Kosovo today—argue that the long record of intractable ethnic tension among the Balkan peoples means we should stay out. Any settlement, they say, is doomed to be temporary. Robert Kaplan's book ''Balkan Ghosts,'' which advances this thesis regarding Bosnia, reportedly convinced President Clinton to steer clear of military action there for a time.

Interventionists also invoke history. They note the longstanding claim of ethnic Albanians to the territory of Kosovo dating back to 1200 B.C., when the Albanians' supposed ancestors, the Illyrians, settled there. This ancient history forms the basis of demands for self-determination on the part of the long-suffering Albanian Kosovars. But the Serbs, too, stake a historical claim. Their Slavic forebears migrated to Kosovo around A.D. 500, and they contend that Serbs have lived there ever since.

In fact, each of these assertions is subject to qualification, as is made clear in Noel Malcolm's masterly (but misnamed) ''Kosovo: A Short History'' (my main source along with Hugh Poulton's ''The Balkans: Minorities and States in Conflict''). The tie of today's Albanian Kosovars to the ancient Illyrians is fairly attenuated. And while Slavs did move into the area around 500, when the Bulgarian Empire conquered the Balkans, the Serbs didn't gain control of Kosovo until the 12th century, when a dynasty of their leaders known as the Nemanjids invaded it after a period of Byzantine rule.

For two centuries the Nemanjids basked in their Balkan kingdom. Serb nationalists today are fond of noting that in 1389 it was in Kosovo that the Serbian Prince Lazar and his armies made their last stand against the invading Ottoman Empire at the Battle of Kosovo. They're less likely to note that the Albanians of Kosovo fought alongside them. (Explicit references to the Albanian people as opposed to the Illyrians begin to appear around the 11th century.)

During Turkey's 500-year rule, most of Kosovo's Albanians—and Albania's Albanians, also subjects of the Ottoman Empire—converted to Islam. The Serbs remained Orthodox Christians. That may be one reason that the Serbs sought independence first. In 1804 they rose up and in 1828 broke free. Kosovo, however, remained largely content under Turkish rule. Serbs, believing that Kosovo still rightfully belonged to them, did briefly conquer it in 1877 when, along with Russia, the new Serbian state made war on Turkey. But under the Russian-Ottoman armistice a year later, Serbia was forced to withdraw.

At this point, the Albanians—of both Kosovo and Albania proper—commenced their so-called ''national awakening.'' A group called the League of Prizren, named for the Kosovo town where it met, lobbied for autonomy within the Ottoman Empire. A generation later, this movement flowered into insurrection, as Albanians throughout the western pocket of the Balkans revolted. Albania secured statehood in 1912, but before the status of Kosovo could be resolved, the entire region was rocked, in quick succession by the First Balkan War (1912), the Second Balkan War (1913) and, for good measure, World War I (1914–18).

First to invade Kosovo in these years were the Serbs. The Serbs were knocked out by the Austrians, who were knocked out by the French. The French handed the province back to their allies the Serbs. After the war, the Allies, following Wilsonian ideals of self-determination, straightened up Europe into tidy nation-states. With minimal thought on the part of the mapmakers, Kosovo was folded into Serbia, which joined five neighboring Balkan territories to form the new state of Yugoslavia. Albania appealed to the Allies for control of Kosovo but, considered an insignificant state, was rebuffed in deference to Serbian claims.

As the largest republic in the multinational state, Serbia dominated Yugoslavia. Its capital of Belgrade, for example, was the nation's capital too. Under Serbian rule, Kosovo again became a battleground.

In the late 19th century, Serbian nationalists had built up national myths about the heroics of Prince Lazar and cast Kosovo's status as a Jerusalem-like holy land populated with Orthodox religious shrines. Throughout the 1920s and '30s, the central government in Belgrade pushed Albanians out of the region and moved Serbs in—efforts the Albanian majority resisted, often to their peril.

In World War II, Kosovo again resembled Europe's Grand Central Station. The Axis powers rolled in and carved up the region: Albania's Fascist government, headed by a puppet of Mussolini's, seized the biggest chunk, while Bulgaria and Germany each occupied a strip. Communist partisans retook the province in 1944, and when the war ended, the partisan leader Josip Broz Tito became dictator of the reconstituted Yugoslav federation. The Communists considered ceding Kosovo to Albania but instead decided that it should revert to its antebellum status quo. They deemed Kosovo not an autonomous republic but a province of Serbia.

In the name of Yugoslav unity, Tito suppressed most assertions of ethnic identity. He jailed or killed thousands of Albanian Kosovars and banned Albanian-language publications. But he was, to some degree, an equal opportunity tyrant: He also halted Serbian efforts to settle Kosovo. In 1968, with uprisings sweeping the globe, student protests triggered a wave of demands for greater Kosovar autonomy. Tito acceded to a series of reforms, culminating in a new Yugoslav Constitution in 1974, which gave Kosovo control over much of its internal affairs. That year marked the high point for Kosovar aspirations to independence, and it remains the benchmark for NATO's demand at Rambouillet for a restoration of Kosovo's ''pre-1989'' autonomy.

Tito died in 1980. The next year, Albanian Kosovar students erupted again, with some Kosovars clamoring for republichood. Belgrade, no longer restrained by Tito's aversion to exacerbating ethnic conflict, cracked down. Polarization followed: Slobodan Milosevic—first as a Communist and then as a Serbian nationalist—whipped up anti-Albanian sentiment. In 1989, he stripped Kosovo of its cherished autonomy. Meanwhile, Albanian Kosovars proclaimed their territory a republic and, through channels violent and nonviolent, sought actual independence. Unrelenting, Milosevic undertook the massacres of the last year, which finally precipitated NATO's bombing.

That, in a nutshell, is the history of Kosovo. If you can find a solution to today's mess in there, let me know. Take a snapshot at 1200 B.C. and the Albanians can claim it; look at A.D. 1200 and it's a Serbian kingdom. The United States prefers to use the 1974 benchmark. Milosevic points to 1989. But even at those points, the snapshot looks pretty blurry.

Before NATO began bombing Yugoslavia March 24, the proposed Rambouillet solution—restoring Kosovo's autonomy but not granting it independence—seemed like a plausible outcome. Now it's hard to imagine Kosovars accepting any kind of Serbian rule. If victorious, NATO may grant Kosovo independence or perhaps divide it up. History won't decide Kosovo's fate. Our actions in the weeks ahead will decide history.

I bring this to the attention of my colleagues simply to highlight a little history and point to the complexities in reaching a resolution to this very difficult foreign policy question.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. VOINOVICH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. COLLINS). Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT—S. 531

Mr. VOINOVICH. Madam President, I ask unanimous consent that at 4:30 the Banking Committee be discharged from further consideration of S. 531 and

the Senate proceed to its immediate consideration under the following limitations:

One hour for debate equally divided between Senator ABRAHAM and the ranking member. No amendments or motions will be in order.

I further ask consent that following the use or yielding back of time, the bill be read for a third time at 5:30 this afternoon and that the Senate proceed to vote on passage of the bill with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VOINOVICH. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE WAR IN KOSOVO

Mr. SPECTER. Madam President, President Clinton has just signified his intention to ask Congress for additional appropriations of some $5.45 billion for military costs involved in the war in Kosovo and some $491 million to pay for humanitarian assistance. It is my thought that Congress will be receptive to humanitarian aid for the thousands of refugees who have been driven from their homes in Kosovo. These requests will give us an opportunity to ask some very important questions and get some very important information to assess our military preparedness and to make the determination as to how much our allies are contributing to this effort, which ought to be a joint effort.

We have seen the U.S. military preparedness decline very markedly in the past decade and a half. During the Reagan years, in the mid-1980s, the defense budget exceeded $300 billion. In 1999 dollars, that would be well over $400 billion, might even by close to the $500 million mark. But our budget for this year, fiscal year 1999, was $271 billion, and according to the President's request, is projected to be slightly over $280 billion for fiscal year 2000.

That raises some very, very important questions as to the adequacy of our defense and our ability to deal with a crisis in Kosovo, where we are at war, notwithstanding the fact that a declaration has not been filed. The Senate of the United States has authorized air strikes in our vote of 58 to 41 on March 23, but the House of Representatives has not had a correlating move. Constitutionally this is a very, very dangerous situation, because only the Congress under our Constitution has the authority to declare war. We have seen a constant erosion of congressional authority, which is a dangerous sign, in terms of the requirements of constitutional law—this is bedrock constitutional law—and also in terms of having congressional support, which reflects public support, for the military action.

We have seen this war in Kosovo move ahead. We have seen missile strikes, air strikes. The authorization of the Senate was limited in the air strikes because of our concern about not putting too many U.S. fighting men and women in so-called harm's way. It is rather a surprising consequence to find we are in short supply of missiles. We have seen the activity in Iraq reduced, according to military reports. We know of our commitments around the globe, including South Korea. I believe this is an occasion to take a very close look as to the adequacy of our military preparations. At this time, we have some 10 divisions, 20 wings active in reserve, some 13 active wings and some 256 naval service combatants. This is very limited, compared to the power of the United States during the mid-1980s in the Reagan years.

Of course, it is a different world. It is a world without the potential clash of the superpowers—the United States and the Soviet Union—but it is still a world with major, major problems.

When the President comes to Capitol Hill, comes to the Appropriations Committee on which I serve, comes to the Defense Appropriations Subcommittee on which I serve, then I think we need to ask some very, very hard questions. Those questions turn on whether the United States is, realistically, capable of carrying on the kind of a war in which we have become engaged in Kosovo. Do we even have sufficient air power to carry out our objectives? Do we have sufficient missiles to carry out our objectives?

So far, we have bypassed the issue of ground forces. Some of our colleagues have advocated a resolution which would authorize the President to use whatever force is needed. I am categorically opposed to such a resolution. I do not believe that the Senate and the Congress of the United States ought to give the President a blank check, but I am prepared to hear whatever it is that the President requests, to consider that in the context of our vital national security interests and in the context of what we ought to do. But at a time when the Congress and the country has been put on notice that the President is considering calling up Reserves, we find ourselves in a military entanglement, a foreign entanglement and, by all appearances, we are ill-equipped to carry out the objectives and the course which the President has set out for us.

We need to know on an updated basis what is happening in Iraq and what our commitments are there and what our potential commitments are around the world.

Similarly, we need to know, Madam President, our allies' contributions. At a time when the Congress of the United States is being called upon to authorize $5.450 billion for the Pentagon, it is fair to ask what the contribution is from Great Britain. What is the contribution from France? What is the contribution from Germany? What is the contribution from the other NATO countries?

The morning news reports carried the comment that the French are opposed to a naval blockade to cut off Yugoslavian oil reserves. That is sort of a surprising matter. As General Wesley Clark has noted, why are we putting U.S. pilots at risk in bombing Yugoslavian oil production at oil refineries if we are not willing to take on a less drastic matter of a naval blockade? Certainly a naval blockade is an act of war, as the French have been reported to have said, but so are missile and air strikes. As we are being asked for almost $6 billion, I would be especially interested to know the French contribution, besides their naysaying of a naval blockade to stop petroleum from reaching Yugoslavia.

The issue of the relative contribution of the United States and the NATO countries has been a longstanding controversy for the 50 years that NATO has been in existence. I recall attending my first North Atlantic Assembly meeting in Venice shortly after I was elected. It was the spring of 1981. The chief topic was burden sharing.

On the occasions when I have had an opportunity to return to North Atlantic Assembly meetings, burden sharing has always been a big question. I think it is a fair question for the Congress to ask: What is the proportion of burden sharing now in Kosovo, especially when we are being asked to ante up an additional $6 billion.

There is another aspect to our activity in Kosovo which requires an answer, and that is, what are we doing with respect to prosecution of crimes against humanity in the War Crimes Tribunal, looking toward the prospective indictment of President Milosevic. There is an active effort at the present time to gather evidence against President Milosevic. There is a question as to why it has taken so long. In late 1992, then-Secretary of State Eagleburger, pretty much branded Milosevic a war criminal. There has been constant speculation over the course of the past 7 years about why Milosevic was not indicted, along with others in the Bosnia and Croatia crimes against humanity.

We need an answer, Madam President, as to what has happened with outstanding key indictments against Mladic and Karadzic with respect to what has happened in Bosnia. When a group of Members of the House and Senate were briefed by the President last Tuesday, a distinction was made between our military activity and collateral ways to have an impact on the war in Kosovo, such as through the War Crimes Tribunal.

There have been major efforts to locate Karadzic. There have also been major efforts to locate Mladic who is supposed to be in hiding near Belgrade.

The activities of the War Crimes Tribunal could have a very profound effect

on those committing atrocities as we speak in Kosovo—that that kind of conduct is going to be treated in a very severe and tough manner by the War Crimes Tribunal. This involves having the War Crimes Tribunal follow up on those who have been indicted, like Mladic and Karadzic, and it also involves the War Crimes Tribunal acting aggressively to gather evidence about Milosevic and any others who may be perpetrating crimes against humanity.

At a time when we are looking for a supplemental appropriation, we ought to be as certain as we can be that the War Crimes Tribunal is adequately funded. I have had occasion to visit the War Crimes Tribunal three times in The Hague and have noted a very serious group of dedicated prosecutors, headed by Chief Prosecutor Louise Arbour. But that contingent has been laboring with insufficient resources. Only recently their courtrooms have increased from one to three, and a substantial increase in their budget was achieved when the 1999 budget was increased from the 1998 level of $68.8 million to slightly more than $100 million to take care of the prosecutions in Bosnia and Croatia.

That leaves open the question about what is going to happen with respect to the prosecutions in Kosovo. It is vital that efforts be ongoing contemporaneously with these atrocities to gather evidence while it is fresh. From my own experience as a prosecuting attorney, I can say firsthand—gather the evidence while the eyewitnesses are available, while the recollections are fresh and while the tangible physical evidence is present.

There may be a necessity—and it is a very unpleasant subject but one of the facts of life in Bosnia, Croatia and now Kosovo—that mass graves be uncovered for tangible evidence of these atrocities. An inquiry today gave me the preliminary bit of advice that there is a request for some $5 million for documentation support for the War Crimes Tribunal. I have made the request that further information be forthcoming so that when the Appropriations Committee considers these supplemental matters, that we have in hand the needs of the War Crimes Tribunal. This will put all would-be war criminals on notice that these matters are going to be very, very vigorously pursued. It would be a very, very strong blow for international law and international justice to have a War Crimes Tribunal indictment at the earliest possible time branding Milosevic a war criminal for all to see. I think that would inevitably have a profound effect everywhere, including in Belgrade, including in Serbia, including in the Republic of Yugoslavia.

So, these are questions which I hope we can have answers to in the forthcoming days when I do believe my colleagues will be willing to share my sense that the fighting men and women need to be supported on this $5.45 billion request from the Pentagon and on the almost $500 million for humanitarian aid. But we need to use this as an occasion to find out if we have adequate military strength to carry on the war which we have undertaken and to discharge the kind of commitments that we have made worldwide. We also need to take a close look at the burden sharing with our allies and to make sure that the important work of the War Crimes Tribunal is adequately funded.

In the absence of anyone else on the floor seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. ABRAHAM. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING AL BULLOCK

Mr. ABRAHAM. Madam President I rise to note the passing of a great Republican and a great American. Dr. Albert E. Bullock died on April 7 at the age of 72 at his home in Kensington, Maryland. He had been fighting cancer for some time.

Al, as he was known by everyone who knew him, was the husband of my able and dedicated office manager, Katja Bullock. He was also a dedicated dentist and a devoted Republican activist who lived life to the fullest and brought energy and humor to everything he did.

Born in Washington, Al served in the United States Navy during World War II and was awarded both the Victory Medal and the American Theatre Ribbon. When he was honorably discharged in 1946, Secretary of the Navy James Forrestal sent him a letter expressing ''the Navy's pride'' in his service. He became a life-long member of American Legion Post 268 in Wheaton, Maryland.

Al attended the University of Maryland and graduated from Georgetown University's School of Dentistry in 1952. He served as a Clinical Instructor at Georgetown immediately after graduating and published original scientific articles in the District of Columbia Dental Society Journal and the Southern California Journal of Orthodontics. He was elected to the National Dental Honor Fraternity and named a Fellow of the Royal Society of Health.

Al was an integral part of his community. He was particularly active and important in the Montgomery County Republican Party. And his positions in the party were numerous. He served twice as Montgomery County Republican Party Chairman and was a regular fixture on the County's Republican Central Committee between 1982 and 1994.

He also served as Executive Director of Maryland's Reagan for President Committee and as a member of Maryland's Electoral College. In 1994 he was the Republican nominee for Maryland State Senate.

During the Reagan Administration Al served on the National Advisory Council on Child Nutrition and the National Advisory Committee on the National Health Service Corps.

But it was perhaps as a mentor to young conservatives that Al had his greatest effect on politics. Literally dozens of Washington interns at one time or another stayed with the Bullocks or attended one of the many events hosted at their home. Across America today, there are many active Republicans who were strengthened in their convictions by Al and Katja Bullock.

Indeed, many of us believe there is a political dynasty forming in the Bullock family. Al would allow himself to be put up for elective office in heavily Democratic Montgomery Country because no one else wanted the task of losing. But he must have had some effect because his son, also named Al, made a respectable showing in his own run for public office. And everyone agrees that Al's grandson, Al the third, who at a quite tender age was already defending his grandfather on the stump, could just be the one to turn Montgomery County Republican.

Al Bullock knew how important it is to keep active in political life. But he also knew that politics is not all of life. He was a strong family man as well as a dedicated professional who took great pride in his work and in this relations with his patients. He also was active as a member of the American Light Opera Company, serving on its Board of Trustees and as Chairman in 1965.

The story goes, in fact, that Katja fell in love with Al when, seeing him for an emergency dental procedure, she was soothed by the strains of opera as Al worked on her teeth.

I will always remember Al's winning combination of humor and dedication to conservative principles. He led a full and colorful life, in which he met many of the great public figures of our age. It was a great honor for anyone in public life to make it to the photographic hall of fame lining the Bullock family's front stairs. I was happy to see last Christmas that my own photo had made it to one corner of that hallway, overshadowed by pictures of more than one President.

My heartfelt condolences go to Katja, Al's son Albert, his daughter-in-law Katie and grandsons Albert and Seamus, as well as his sister, Betty Sorrell.

Al will be sorely missed by everyone lucky enough to know him.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call.

Mr. ABRAHAM. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZING THE AWARD OF A CONGRESSIONAL GOLD MEDAL TO ROSA PARKS

The PRESIDING OFFICER. Under the previous order, the clerk will report S. 531.

The assistant legislative clerk read as follows:

A bill (S. 531) to authorize the President to award a gold medal on behalf of the Congress to Rosa Parks in recognition of her contributions to the Nation.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. ABRAHAM. Madam President, I wish to express my appreciation to Senator LOTT for bringing forward this unanimous consent agreement to discharge an important piece of legislation from the Banking Committee.

I also thank the original cosponsors of this bill, Senators SESSIONS, LEVIN, KENNEDY and HARKIN for their support, along with 74 other colleagues who have cosponsored this bill.

Our intent is to honor one of the most important figures in the American civil rights movement, Rosa Parks. This legislation would honor Mrs. Parks with a Congressional gold medal in recognition of her immense contributions to our nation over a lifetime committed to furthering civil rights in our nation.

Rosa Louise McCauley was born in Tuskegee, Alabama in 1913. At age 2 she moved to her grandparents' farm in Pine Level, Alabama with her mother, Leona McCauley, and younger brother, Sylvester. Her mother, a school teacher, taught her at home until, at age 11, she enrolled in the Montgomery Industrial School for Girls.

The young Miss McCauley cleaned classrooms to pay her tuition, then moved on to attend Booker T. Washington High School. She was forced to leave that school to take care of her sick mother.

In 1932 she married Raymond Parks. Mr. Parks, who was largely self-taught, supported his wife, Rosa's, desire to finish high school and to attend Alabama State College, which she did.

The couple settled in Montgomery, Alabama, where they were active in the local chapter of the NAACP and the Montgomery Voters League.

Mrs. Parks worked to register African American voters and to fight the violence and injustice visited upon them under segregation.

As Mrs. Parks put it, ''There were cases of flogging, peonage, murder, and rape.'' During this time the NAACP ''didn't seem to have too many successes. It was more a matter of trying to challenge the powers that be, and to let it be known that we did not wish to continue being second-class citizens.''

Rosa Parks issued that challenge to the powers that be. And her brave act helped bring down the system of segregation in this country.

The story has been told many times of how Mrs. Parks, employed as a seamstress in a local department store, boarded a Montgomery city bus on December 1, 1955. After a few stops, a number of white people got on the bus—too many to fit into the seats in the ''whites only'' section. Seeing a white man standing on his bus, the driver ordered Mrs. Parks and three other African Americans to give up their seats to him.

The other three people moved, but Rosa Parks had had enough. As she reflected later, ''I kept thinking about my mother and my grandparents, and how strong they were. I knew there was a possibility of being mistreated, but an opportunity was being given to me to do what I had asked of others.''

Mrs. Parks showed her strength by refusing to give up her seat. She was arrested, she was taken to jail and four days later she was convicted of disorderly conduct. Her crime? Refusing to be treated as a second class citizen.

Even before this unjust conviction was handed down, indeed, the very day after Mrs. Parks' arrest, the response, born of righteous indignation, had begun. Mrs. Parks had set in motion events that would change the face of the United States forever.

On December 2, the Women's Political Council distributed fliers throughout the community encouraging African Americans to boycott the Montgomery bus system on the day of Mrs. Parks' trial.

A meeting was held at Dexter Avenue Baptist Church, whose pastor was the Reverend Doctor Martin Luther King, jr. This meeting, held to plan the boycott, included the reverend Ralph Abernathy, Reverend King and Jo Ann Robinson of the Women's Political Council.

The boycott was an astounding success, and on the day of Mrs. Parks' trial the Montgomery Improvement Association was formed with Dr. King as spokesman and president.

The Montgomery Improvement Association took over management of the bus boycott, which was to last 381 days, and filed suit on behalf of those against whom the bus company had discriminated.

In the face of widespread harassment, threats and even bombs, the brave people of the Montgomery Improvement Association, along with their supporters, kept up their boycott while their case made its way through the courts.

Finally, on November 13, 1956, the Supreme Court held Montgomery's bus segregation unconstitutional. After a brief period of defiance the segregationists gave in, and the boycott ended.

Of course this was far from the end of the battle for civil rights in America. But it was an important event, spurring the civil rights movement to further action.

Through marches, boycotts, civil disobedience and the power of their principles, members of the civil rights movement broke down the barriers of legal discrimination and established equality before the law as a reality for all Americans.

Rosa Parks set these historic events in motion. Because of her faith, perseverance and quiet dignity, all Americans have been freed from the moral stain of segregation.

But Rosa Parks paid a price for her principles. She was arrested. She lost her job. She could not find work. And she was constantly harassed.

Fortunately for my state of Michigan, Mrs. Parks' bother, Sylvester, had resettled in Detroit, and the Parks family joined him there in 1957.

For over 40 years now, Michigan has been a particular beneficiary of Mrs. Parks' work on behalf of civil rights and her efforts to educate young people in particular.

And this mother of the civil rights movement, as she is known throughout our nation, continues to be active in the struggle for equality and the empowerment of the disenfranchised.

In 1965 she joined the staff of U.S. Representative JOHN CONYERS, where she worked until her retirement in 1988.

After the death of her husband in 1987 she founded the Rosa and Raymond Parks Institute for Self-Development.

This non-profit organization helps young people achieve their full potential. Over 5,000 young people have participated in the Institute's ''Pathways to Freedom'' tour, which traces parts of the Underground Railroad along which escaped slaves traveled to safety. The Institute also runs local programs offering summer school, tutoring programs and life-skills classes.

Ms. Parks has received many awards in recognition of her efforts for racial harmony, including the Springarn Award, the NAACP's highest honor for civil rights contributions, the Presidential Medal of Freedom, the Nation's highest civilian honor, and the first International Freedom Conductor Award from the National Underground Railroad Freedom Center.

Throughout her long life, Rosa Parks has shown that one woman can make a real difference. She has shown all of us the power of conviction and quiet dignity in pursuit of justice and empowerment. I urge my colleagues to join me in supporting legislation to bestow upon her the Congressional gold medal she so well deserves.

Madam President, I was thinking about Rosa Parks as I came to the floor today. I remembered an incident that I briefly mentioned when we introduced this legislation, an incident of my own. It was the first I had heard of Rosa Parks, although her name wasn't specifically mentioned, or at least it did not register at the time. As an elementary schoolchild, probably around, I would guess, in 1962, 1963—somewhere in the second, third, fourth grade—I remember the teacher in my classroom talking about this incident, this

woman who would not move to the back of the bus, explaining it to us as one explains things to children who do not necessarily know history as well as they should at that age, explaining what it meant and why it had been so important.

I was thinking about that today because I recognized at that moment I, as a second-grade student, first realized that everybody in the country was not always treated the same way. That is how that incident, Rosa Parks' contribution, touched my life. Later, obviously, as I moved along in school, I read more and watched the news a little and began to realize the magnitude of the civil rights struggle we as a nation had addressed, and so much of it was based on this event which Rosa Parks prompted in 1955.

So, while all of us, I suppose, can see this in its national consequence, I am sure all of us, too, probably, have a more personal connection as well. That is mine. It is also, first, a connection that I share with my colleague from Michigan, who is about to speak on this as well. That is the connection of pride that we have that Rosa Parks is a Michiganian.

While she may have been born and lived much of her life in another part of the country, we are awfully proud of the fact that most of the last 40 years she has lived in our State.

Madam President, if you look at the list of those who have been recipients of congressional gold medals, most recently President and Mrs. Gerald Ford and such other honorees as Mother Teresa and the Little Rock Nine, Billy and Ruth Graham, it seems only fitting that Congress should now pass this legislation and add Rosa Parks to this list of Americans who have made such great contributions.

PRIVILEGE OF THE FLOOR

Before I yield the floor, I ask unanimous consent that Meg Mehan, who is on my staff, be granted the privilege of the floor during consideration of this legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ABRAHAM. Thank you, Madam President. I yield the floor for the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Madam President, I thank my colleague from Michigan.

Today, we will authorize the President of the United States to award the congressional gold medal to one of our Nation's greatest heroines, Rosa Parks. Rosa Parks is the mother of the civil rights movement, and we are going to make this medal available and we are going to award this to her because of her extraordinary contributions to America.

Forty-three years ago, in December of 1955, an unassuming woman by the name of Rosa Parks decided she would not give up her seat in the front of the bus and move to the back of the bus. It was not scheduled as a media event. It was not intended to be something which would spark a revolution. It, indeed, did spark an American revolution. It unleashed forces in this country, which are positive forces, which have added equal opportunity or fairer opportunity for African Americans and others who have been discriminated against for too many decades and centuries.

It was the act of an American citizen who just made a simple, straightforward decision that she is entitled equally to sit on a bus with any other person. She is not going to take an inferior position to anybody. She seeks no advantage over anyone else, but she will not accept an inferior status any longer on a public bus in Alabama.

The forces that set in motion have changed this Nation. It has changed this Nation for the better. It has forced us to confront centuries of discrimination against African Americans brought here as slaves and, even after slavery was abolished, too often treated as inferiors in a country that prides itself on treating all of its citizens equally and whose Constitution and Declaration of Independence held out a promise which had been thwarted and which was unfulfilled for our African American citizens.

Her arrest for violating the city's segregation laws was the catalyst for the Montgomery bus boycott. Her stand on that December day in 1955 was not an isolated incident but was actually part of a lifetime of struggle for equality and justice. Twelve years earlier, in 1943, Rosa Parks had been arrested for violating another one of the city's bus-related segregation laws. That earlier law had required African Americans to pay their fares at the front of the bus, then get off the bus and then get on the bus at the back to reboard the bus. As it happened, the driver of the bus in 1955 was the same driver who was driving the bus in 1943. The rest is history.

The boycott which Rosa Parks began was the beginning of an American revolution that elevated the status of African Americans and introduced to the world a young leader who would one day have a national holiday declared in his honor, the Reverend Martin Luther King, Jr. The Congressional Medal of Honor is a fitting tribute to Rosa Parks, a gentle warrior who decided that she would no longer tolerate the humiliation and the demoralization of racial segregation.

Rosa Parks, as my friend from Michigan said, is a resident of Michigan, and we are very proud of it. We hope that is acknowledged in the final bill which comes out of the Congress. We are trying to add that fact to the final bill because, as it happens, since 1957, Rosa Parks has been a Michiganian. She and her husband made the journey to Michigan in 1957 because of threats on their lives and persistent harassment by phone. That is what prompted her move to Detroit where Rosa Parks' brother resided.

She continues to dedicate her life to advancing equal opportunity and to educating our youth about the past struggles for freedom, from slavery up to the civil rights movement of the 1960s.

In 1987, Rosa Parks and Elaine Eason Steele cofounded the Rosa and Raymond Parks Institute for Self-Development. Its primary focus has been working with young people in Michigan and from across the country and the world as part of the ''Pathways to Freedom'' program. The pathways program traces history from the days of the underground railroad to the civil rights movement of the sixties and beyond. Through this institute, young people, ages 11 to 17, meet with national leaders and participate in a variety of educational and research projects. During the summer months in particular, many have the opportunity to travel across the country visiting historical sites.

In recent years, the Rosa and Raymond Parks Institute for Self-Development has expanded to include an intergenerational mentoring and computer skills partnership program. This innovative program teams young people with elderly Americans. Generational and age barriers break down as young people help the elderly develop computer skills, while the elderly provide their unique and personalized recollections of their lives in American history. Each year, the institute matches hundreds of young people with elderly Americans. Since 1987, more than 7,000 youth from around the world have participated in this program.

With the work of her institute, we can truly say that in addition to having played a major role in shaping America's past and present, Rosa Parks is playing a major role in shaping America's future. With the dawn of a new millennium at hand, America must ensure that all of our youth are knowledgeable of one of the great national stories of our time and the struggle of African American individuals that finally forced us to honor the principles which founded this country and which had so long been rejected in the real world and in reality, even though they were promised on paper.

The Rosa and Raymond Parks Institute for Self-Development ''Pathway to Freedom'' programs preserve the memories of self-sacrifice that African Americans, and so many others, have made to this country's development as truly the land of the free.

Madam President, this is great work which Rosa Parks continues to do. She continues to bless us, our Nation, our State with her presence, with her dignity, with her very direct, simple statement about equality. We hopefully will not just award her a medal one of these days, but we will also hopefully support the important work which she continues to do in her institute.

We have come a long way in achieving Dr. King's dream and Rosa Parks'

dream of justice and equality for all, but we still have a long ways to go. That is going to take a constant rededication to these goals and to the lifetime work of Rosa Parks and to the spirit of human rights which she so embodies and for which the name ''Rosa Parks'' stands.

I am proud to join Senator ABRAHAM and others, so many others, in this body and in the other body who have initiated this gold medal for her. We look forward to the day when we are actually able to present to one of the true champions of justice a gold medal which she so truly deserves.

I yield the floor and again thank my friend from Michigan.

Mr. ABRAHAM. Madam President, I know there are other Members who have expressed an interest to speak on this issue, some of whom will be arriving back in Washington, if they have not already gotten here, on flights this afternoon. So we will, I know, be here for some time waiting to give them the opportunity to speak before our vote on this. But at this time, seeing none of them on the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ABRAHAM. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ABRAHAM. Knowing there are speakers on each side who hope to have a chance to speak, so we do not run the clock completely off during quorum calls, I suggest the absence of a quorum and ask unanimous consent that the time of the quorum call be equally divided between both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ABRAHAM. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ABRAHAM. Madam President, I yield such time as he needs to the Senator from Alabama.

Mr. SESSIONS addressed the Chair.

The PRESIDING OFFICER (Mrs. HUTCHISON). The Senator from Alabama is recognized.

Mr. SESSIONS. Today is a special day for me. I remember a number of weeks ago when Senator ABRAHAM and I discussed the possibility of awarding a congressional gold medal to Rosa Parks. It was an idea that we thought was a good one. I am glad to see it moving rapidly to fruition.

I certainly believe the congressional gold medal is a very distinguished award that ought to be preserved for the most exceptional circumstances and persons. And I certainly believe that the person we will honor today has all the qualities for receiving the congressional gold medal.

So I am pleased to honor a native Alabamian who, through her life and through her example, has touched both the heart and conscience of an entire Nation. I speak, of course, of Ms. Rosa Parks, a native of Tuskegee, AL, and a former resident of Montgomery, whose dignity in the face of discrimination helped spark a movement to ensure that all citizens were treated equally under the law.

Equal treatment under the law is a fundamental pillar upon which our Republic rests. In fact, over the first 2 months of this year this Senate was engaged in a constitutional debate over the scope and meaning of this very concept.

As legislators, we should work to strengthen the appreciation for this important fundamental governing principle by recognizing those who make extraordinary contributions towards ensuring that all American citizens have that opportunity, regardless of their race, sex, creed, or national origin, to enjoy the freedoms this country has to offer.

Through her efforts, Ms. Parks has come to be a living embodiment of this principle, and it is entirely appropriate that Congress take this opportunity to acknowledge her contribution by authorizing the award of a congressional gold medal to her. Her courage, what we may call ''gumption,'' resulted in historic change. Certainly there is still much to be done. True equality—the total elimination of discrimination and a real sense of ease and acceptance among the races—has not yet been fully achieved, but it is fair to say that in the history of this effort, the most dramatic and productive chapter was ignited by the lady we seek to honor today.

Ms. Parks' story is well known but it bears repeating. She was born on February 4, 1913, in the small town of Tuskegee, AL, to Mr. James and Mrs. Leona McCauley. As a young child, she moved to Montgomery with her mother who was a local schoolteacher. Like many southern cities, the Montgomery of Ms. Parks' youth was a segregated city with numerous laws mandating the separate and unequal treatment of people based solely upon the color of their skin. These laws were discriminatory in their intent and divisive, unfair, and humiliating in application. But for years Ms. Parks had suffered with them, until that fateful day of December 1, 1955, when her pride and dignity would not allow her to obey them anymore.

On this day, Ms. Parks, a 42-year-old seamstress, boarded a city bus after a long, hard day at work. Like other public accommodations, this bus contained separate sections for white passengers and black passengers. White passengers were allocated to the front rows. The black passengers were given the back rows. This bus was particularly crowded that evening.

At one of the stops, a white passenger boarded and the bus driver, seeing Ms. Parks, requested that she give up her seat and move to the back of the bus, even though this meant that she would be forced to stand for the rest of the trip. Ms. Parks refused to give up her seat and was arrested for disobeying the bus driver's order.

With her act of civic defiance, Ms. Parks set off a chain of events that have led some to refer to her as the mother of the civil rights movement. Her arrest led to the Montgomery bus boycott, an organized movement led by a young minister named Martin Luther King, Jr., who had begun preaching at the historic Baptist church located on Montgomery's Dexter Avenue. The bus boycott lasted 382 days, and its impact directly led to the integration of bus lines, while the attention generated helped lift Dr. King to national prominence. Ultimately, the U.S. Supreme Court was asked to rule on the constitutionality of the Montgomery law which Ms. Parks had defied, and the Supreme Court struck it down.

This powerful image, that of a hard-working American ordered to the back of the bus just because of her race, was a catalytic event. It was the spark that caused a nation to stop accepting things as they had been and focused everyone on the fundamental issue—whether we could continue as a segregated society.

As a result of the movement Ms. Parks helped start, today's Montgomery is a quite different city from the one of her youth. Today the citizens of Montgomery look with a great deal of historical pride upon the church that once heard the sermons of Dr. King. Montgomery is the home of the Civil Rights Memorial, a striking monument of black granite and cascading water which memorializes the individuals who gave their lives in pursuit of equal justice.

Today's Montgomery is a city in which its history as the capital of the Confederacy and its history as the birthplace of the civil rights movement are both recognized and reconciled. And soon Troy State University of Montgomery will become the home of the Rosa Parks Library and Museum, built on the very spot upon which Ms. Parks was arrested in 1955, the old Empire Theater. I will briefly describe this important project.

Troy State University, Montgomery, is an important university of over 3,400 full-time students. They are in the midst of constructing a 50,000-square-foot library and museum on the land they own which includes the exact location where Ms. Parks was arrested in 1955. When completed, this museum will include a 3,700-square-foot permanent exhibit focusing on the commemoration of the Montgomery civil rights movement. This project memorializes an historic event that changed the city of Montgomery for the better, and I look forward to offering any support I can to aid in its completion.

Ms. Parks' efforts helped spark the dynamic social changes which have made it possible for this kind of recognition to be supported by Montgomerians and Alabamians. But, in fact, Ms. Parks' contributions may extend beyond even the borders of our Nation. In his book ''Bus Ride to Justice,'' Mr. Fred Gray, who gained fame while in his twenties as Ms. Parks' attorney in the bus desegregation case and one of the early African American attorneys in Alabama—he was a lead attorney in many of Alabama's other famous civil rights cases—wrote—and I do not believe it is an exaggeration—these words:

Little did we know that we had set in motion a force that would ripple through Alabama, the South, and the Nation, and even the world. But from the vantage point of almost 40 years later, there is a direct correlation between what we started in Montgomery and what has subsequently happened in China, eastern Europe, South Africa and, even more recently, in Russia. While it is inaccurate to say that we all sat down and deliberately planned a movement that would echo and reverberate around the world, we did work around the clock, planning strategy and creating an atmosphere that gave strength, courage, faith and hope to people of all races, creeds, colors and religions around the world. And it all started on a bus in Montgomery, Alabama, with Rosa Parks on December 1, 1955.

For her courage, for her role in changing Alabama, the South, the Nation, and the world for the better, our Nation owes a great debt of thanks to Rosa Parks. I hope that this body will extend its thanks and recognition to her by awarding her the congressional gold medal.

Madam President, I thank you for this time and for being able to share these remarks. I also thank Senator ABRAHAM for his skill and work in helping us move this award forward. I think it is a fitting and appropriate thing to do. I have enjoyed working with him on quite a number of other issues. No one in the Senate is more respected by me than the Senator from Michigan.

I yield the floor.

Mr. ABRAHAM. Madam President, I thank the Senator from Alabama for his work on this legislation as well as many other things which he does here. But particularly for how hard he worked on this, as has his staff, to help us move this forward, I express my appreciation to him as well.

I ask unanimous consent that Senator GREGG of New Hampshire be added as a cosponsor to this legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ABRAHAM. Madam President, on our side I am not aware specifically of any other Member who wishes to speak. I do know that the Senator from California is here and there may be others coming. We do have some time left. We will temporarily reserve the remainder of our time, but if others who wish to speak from either side of the aisle are here, we will be glad to offer that. At this point, I will reserve the remainder of my time. The Senator from Alabama may stay for a minute. I am not sure. If necessary, I will come back down. I want to make clear to the Presiding Officer that anyone who wishes to speak may draw from that time.

The PRESIDING OFFICER. So noted.

Mr. BYRD. Madam President, I am proud to join my colleagues from Michigan, Senators ABRAHAM and LEVIN, in sponsoring S. 531, legislation authorizing the presentation of a Congressional Gold Medal to Mrs. Rosa Parks.

As we approach the 21st century, it is only fitting that the Senate take this moment to recognize the efforts of Rosa Parks, who, on December 1, 1955, proved that one person can make a difference in the world in which we live. By refusing to give up her seat on a city bus, an act which put her in violation of the segregation laws then in place in her community, Mrs. Parks sparked a series of events that have helped to shape this nation's path.

For refusing to acquiesce to the systematic degradation placed upon her and other black-Americans, Rosa Parks was arrested. But rather than accept the status quo, this quiet lady from Montgomery, Alabama, chose to challenge the segregation order by seeking redress in our federal courts. During the court battle, Mrs. Parks was harassed, threatened, and even lost her job as a seamstress at a local department store. In the end, though, Rosa Parks won her battle when the U.S. Supreme Court ruled segregation unconstitutional, thus vindicating her simple, but monumental, pursuit of justice and equality.

Madam President, the actions of Rosa Parks were not staged for the television cameras. They were not part of a grand scheme to create a test case. On the contrary, they were the actions of a single individual determined to preserve her dignity as best she could. They were the actions of a simple lady who, at that moment in her life, decided that enough was enough.

It is fitting, then, that the Senate should award the Congressional Gold Medal to Rosa Parks, the highest award that the Congress can bestow on a private citizen, in recognition of her courage and her lifelong commitment to the Jeffersonian ideal that ''all men are created equal.''

Mr. HATCH. Madam President, this legislation conveys our Nation's respect to one of its foremost civil rights pioneers.

The Congressional Gold Medal is no common accolade, but Rosa Parks is no common woman. Her achievements are indeed most uncommon; they are nothing short of extraordinary.

None of us of sufficient age to remember the year 1955 will ever forget Ms. Parks' courage in refusing to give up her seat to a white man who wanted it.

What makes Ms. Parks' courage so uncommon was its manner: the type of action we usually associate with greatness in the civil rights movement might involve a speech, a march, a coalition . . . . Ms. Parks' courage was quiet, determined and resolute, but it had the volume of a great speech, the force of a mass march, and the power to coalesce that would lead to historic Supreme Court decisions abrogating segregation, and passage of the seminal Civil Rights Act of 1964.

It has been said of our extraordinary figures that their heroic actions, as the years pass, begin to appear more accepted and less controversial. This is because, as leaders, great men and women have little company, but as their revolutionary ideas gather strength, they also gather adherents. This medal will help remind us, and generations to come, that at the time Ms. Parks refused to move from her seat on the bus, her act of defiance was anything but common.

Mr. KENNEDY. Madam President, Rosa Parks is an enduring symbol of freedom, dignity, and courage for our time and for all time, and she eminently deserves this Congressional Gold Medal.

Her momentous decision to quietly and peacefully defy her community's segregation laws nearly half a century ago was a defining moment for the entire civil rights movement in the United States and in many other lands as well. On December 1, 1955, in Montgomery, Alabama, Mrs. Parks was a 42 year old seamstress returning home on a city bus after a long and tiring day at work. She refused to give up her seat and move to the back of the bus as the law required, and America would never be the same again.

Because of her quiet, simple, eloquent act of courage, she was arrested and fined. As news of her arrest spread, thousands of African Americans in the city quickly rallied to her cause, and four days later, on December 5, 1955, the famous Montgomery Bus Boycott was launched.

It took a year, but the Supreme Court declared the Montgomery segregation law unconstitutional. On December 21, 1956, thanks to her unyielding demand for equal justice, Rosa Parks and the African Americans of Montgomery were free to ride on the city buses as full and equal citizens.

The Montgomery Bus Boycott touched the conscience of the nation, and focused the attention of citizens across America on the evils of segregation, discrimination, and the notorious Jim Crow laws. The power and justice of the civil rights movement could not be denied. In the decade that followed, Congress enacted the Civil Rights Act of 1964 and the Voting Rights Act of 1964, and America took giant steps toward fulfilling the promise of equal justice under law and full constitutional rights for all Americans.

For her historic act of peaceful civil disobedience, Rosa Parks is often called the ''Mother of the Civil Rights Movement.'' She changed the course of

America history, and made us a stronger, better, and freer nation. All Americans owe her a deep debt of gratitude for bringing us closer to our ideals, and I am proud to support this bill to award her the Congressional Gold Medal.

Mr. KERRY. Madam President, I am pleased to speak today as a co-sponsor of legislation to award a gold medal to Rosa Parks in recognition of her historic contributions to the civil rights movement and to our country.

The word hero is one of the most overused words in our national vernacular, a term that should be reserved for those rare people whose incredible acts of courage in the face of tremendous adversity and long odds inspire us all. Surely it can be said, though, that one of the true living heroes in our country is the mother of the civil rights movement, Rosa Parks.

No one would deny that America is a better place today because, on December 1, 1955, in Montgomery, Alabama, Rosa Parks sat down on a bus in Montgomery, Alabama and insisted that she would not be moved. To those of us who were children in these years watching the news on black and white television sets, entranced by the grainy images and the reassuring voice of Walter Cronkite, it is difficult to express the singular act of courage expressed in Rosa Parks' determination—her absolute resolve—to make a stand in a part of our nation we knew was home to Bull Connor and his snarling police dogs, George Wallace and his promise of ''segregation today, segregation tomorrow, and segregation forever,'' and men like Orval Faubus who pledged to stand in schoolhouse doors from Little Rock to Selma to prevent us all from living as one America, undivided by race.

In one incredible moment, Rosa Parks set forth a wave of activism all across America and captured the essence of the better half of the American spirit—proud, courageous, defiant against injustice—and Americans followed her lead. 42,000 African Americans boycotted Montgomery's buses for 381 days until the bus segregation laws in Alabama were changed on December 21, 1956.

The changes that Rosa Parks made possible in America transcended the realm, even, of our public laws—they literally changed a way of life. Because Rosa Parks stood firm against injustice, she not only joined with Martin Luther King, Jr. in ending the era of Jim Crowe, she helped usher in an age in America when Thurgood Marshall could serve on the highest court of the land; an America where John Lewis and so many others who marched for freedom could serve in the United States Congress; and an America in which we could all, living, working, and hoping together, envision a future—still ahead—when a still-better, still-stronger America heals itself of all the scars of racism and bigotry.

Future generations of Americans need to know that this country considers Rosa Parks a hero. It should be known that we recognized Ms. Parks' contributions to our country—and that we hoped that for years to come—in our homes, our schools, in our cities and on our village greens—we wanted all Americans to learn and to remember what Rosa Parks struggled to make true for our nation.

As we all join together as a Senate united in our deep respect for Rosa Parks, let us remember also that we can do more for this leader than give her a gold medal—we can make her work our own—in the House, in the Senate, and in our lives every day. We can all summon—at the edge of the twenty-first century—the best of our own spirit to wipe away the hatred, the bigotry, and the intolerance that remains in America—and we can dedicate ourselves to building a better America in Rosa Parks' image. That effort, too, will be a part of Rosa Parks' legacy in the United States, and that monument will endure long after any medal has lost its shine.

Madam President, I urge the United States Senate to contemplate that challenge on this special day in the United States of America, as we honor Rosa Parks—but also as we ask ourselves how we can fulfill her promise and finally create Rosa Parks' America.

Mr. HARKIN. Madam President, the Congressional Gold Medal is among the most distinguished honors that Congress can bestow on individuals in recognition of their work or accomplishments. Since 1776, this award, initially reserved for military leaders, has also been given to such diverse individuals as Sir Winston Churchill, Charles Lindbergh and Mother Teresa.

Rosa Parks is not a military hero, not a head of state, explorer or adventurer.

On December 1, 1955, she was a seamstress on her way to work, who took a seat on a city bus in Montgomery, Alabama. For that simple action of sitting on a bus, she was arrested, sent to jail, and convicted of what city laws called a crime and lost her job.

Rosa Parks is a living example of how an extraordinary person, engaged in the ordinary matters of life, can change the world.

The day that Ms. Parks refused to surrender her seat to a white man symbolizes the beginning of the modern civil rights movement. Her arrest for violating the city's segregation laws was the catalyst for a mass boycott of the city's buses, whose rider ship had been 70 percent black. The boycott led to the national prominence of the Rev. Martin Luther King Jr. and to a Supreme Court order declaring Montgomery County's segregated seating laws unconstitutional.

Ms. Parks, known now as the ''first lady of civil rights,'' later said, ''I felt just resigned to give what I could to protest against the way I was being treated.''

Rosa Parks had been involved in the civil rights movement years before the bus incident and her efforts continued long afterward. She was one of the first female members of the Montgomery Chapter of the NAACP, she joined the Montgomery Voters League and encouraged blacks to register to vote.

Despite her civil rights work, Rosa Parks on that historic day actually followed the degrading rules that reserved the first ten seats were reserved for ''whites only.'' If those rows filled up, blacks were supposed to move even further back. Parks, who was sitting just beyond the 10th row, refused to move and the arrest, the conviction and the winning appeal followed. All she had asked for was the basic respect and simple dignity of not being forced to give up her seat to a white man.

Rosa Parks actions and her determination to preserve her dignity spread throughout the nation and sparked the end of segregation in the South. She hasn't stopped since.

In 1957, she moved to Detroit where she worked for nonviolent social change with Martin Luther King Jr's Southern Christian Leadership Conference. She worked for Congressman John Conyers and in 1987 she founded an institute to provide leadership and career training to black youth. Forty-four years after that historic day in Montgomery, she continues to speak out on civil rights issues.

We have heard the ''first lady of civil rights'' story over and over again throughout the years and it will own a permanent place in our history books. But we need to keep listening and reminding ourselves of the extraordinary courage and determination that this working woman had to win the most basic rights that everyone in our nation deserves. She serves as a model and inspiration for what each of us can do in our everyday lives toward greater respect, dignity and kindness among humankind.

I urge my colleagues to join me in bestowing the Congressional Gold Medal to ''the mother of the freedom movement.''

Mr. ROBB. Madam President, last week I offered a few comments on two great civil rights leaders, Ms. Rosa Parks and Mr. Oliver W. Hill.

Today, as we are on the verge of passing S. 531, legislation to award a Congressional Gold Medal to Ms. Rosa Parks, I want to speak again just briefly.

As I noted last week, our Nation owes Ms. Parks an immense debt of gratitude. It is gratifying to me that we have been able to move this legislation so quickly, and I think the great speed with which the Senate is acting is testimony in itself to our admiration of Ms. Parks.

No matter how eloquent our words or how eloquent we believe them to be, words can never match the simple act of this courageous woman. Ms. Parks herself has become a symbol for the courage and righteousness of the civil rights movement. When we think of her action, we cannot help but think of

the consequences —an historic bus boycott by 40,000 people, a decade of principled protests, and legal and legislative victories that helped make America more free.

Ms. Parks, an unassuming seamstress who stood up to segregation by sitting down in the front seat of a city bus in Montgomery, AL, now stands like a giant in the history of the 20th century.

I thank our colleagues and the leadership for their support for passing S. 531 today. While we still face too long a journey to end discrimination, Rosa Parks and thousands of individual acts of courage have made us more free and have inspired the rest of us to carry on in our own efforts.

With that, I yield the floor.

Mr. BAYH. Madam President, I rise today to express my support for awarding Mrs. Rosa Parks a Congressional Gold Medal in recognition of her contributions to the nation.

On December 1, 1955, in Montgomery, Alabama, Rosa Parks got on a bus—a quiet, proud woman, bound unfairly by the laws of our country and the limits of her surroundings. But by the time the police took her off that bus, she was bound only by the strength of her will, a will that refused to be moved.

Rosa Parks refused to go to the back of the bus.

Somewhere, in the brief moment that separates a spoken objection from an act of protest, Rosa Parks emerged as the ''first lady of civil rights,'' and the ''mother of the freedom movement.'' We look at this woman's accomplishment and we salute her for the civil rights movement she helped set in motion. We look back now, and we applaud the monumental force which is still a vital part of our society today.

Back in the 1950's, in a small city, on an ordinary bus, she had neither titles nor honorifics. She was just Rosa Parks—and ''just'' Rosa Parks refused to let others limit what she was supposed to do. Her act was defined, not by its violence, but rather by its non-violent challenge towards a violent system.

Rosa Parks refused to go to the back of the bus.

If our country's history has taught us anything, it is that small decisions of action can change our world. If Rosa Parks has taught us anything, it is that the courageous action of one individual can be more powerful than the shouted declaration of a crowd.

Thus, I am honored today to join with my colleagues in honoring this great American whose courage, dignity, and character have continued to serve as an inspiration for the quiet but heroic actions that shape our world.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Thank you, Madam President.

Madam President, how much time remains on the Democratic side?

The PRESIDING OFFICER. Eighteen minutes.

Mrs. BOXER. Thank you very much.

Madam President, I ask for as much time as I might consume—not expecting to consume more than about 5 or 10 minutes.

Madam President, this is a good day for the Senate. I am very proud to be a cosponsor of S. 531, and I want to thank my colleagues, Senators ABRAHAM, LEVIN, SESSIONS, KENNEDY and HARKIN, for working on this important and historic legislation and making sure that it was brought to the floor of the Senate.

Today I expect that we will move forward unanimously—this is my expectation—in the effort to award Rosa Parks a Congressional Gold Medal which will celebrate her leadership to ensure that all of us are treated equally in this country, the greatest of all countries in the world, the United States of America.

I urge the House to move forward with their bill. I understand they have many, many cosponsors, so we ought to take care of this soon.

The last time I saw Rosa Parks, she was getting on in years, just as we all do. It would be important to allow her this one more reward for her bravery, for her courage, and recognize that she is an inspiration to every single one of us regardless of our race or religion, regardless of what we look like, regardless of whether we have a disability or not. We all find ourselves in the situation where we are not treated equally. And for ensuring that African Americans will be treated equally, Rosa Parks took a giant step forward for all of us.

I shudder to think of where our country would be were it not for the pioneers in the civil rights movement. We have seen in the world and we see every day what happens when people turn on people for no reason other than the status of their birth. It makes no sense. It goes against God. But it happens.

For us to take time out particularly now to honor Rosa Parks is very, very fitting. Where would we have been as a society if Mrs. Parks had agreed when the bus driver turned around, and said, ''You get up and give your seat'' to a white person on December 1, 1955? We don't have to speculate, because Rosa Parks had the courage to say no.

At the time she was 42 years old. She was coming back from work. She was tired. She worked hard, and she thought to herself—I am sure because I am sure she had thought it many times—''Am I worth so little as a human being that I can't have the dignity to have a seat on a bus?''

Senator ABRAHAM was talking about the first time he heard about Rosa Parks. We all have our experiences when we are in the presence of greatness and how it feels. It is very humbling to meet someone like that. She could have been beaten, injured, or killed for a very simple premise that she had an equal right to sit on a bus.

When I was a little girl—and I will not give away how old I was—I was in a southern State where my mother was recuperating from an illness. I was very unaware of any of these laws that said black people have to go on the back of the bus. I didn't know anything about it. I was young. I was having fun. I found myself in a situation with my mother in a bus. And I was sitting down kind of towards the front, about the middle of the bus. An elderly woman came in who happened to be African American. She was carrying a lot of packages. She was frail. I did what I was always taught to do. I stood up. I said, ''Here, ma'am. Please sit down.'' My mother was sitting next to me on the bus. She let me do this. She knew. And this woman said, ''No, thank you.'' I didn't understand.

I said, ''No. Really. Please sit down. I want you to sit down.'' She said, ''No. No, thank you.'' And she proceeded down. And my mother told me. She leaned over, and she said, ''She can't sit there.'' I said, ''Why?'' ''Because she is minority, she can't sit there.''

I didn't know quite what to do. I mean I was not quite a teen. But I knew this was absolutely wrong because of everything that I was taught as a child in my loving family.

I just said to my mother, ''Well, I am not going to sit down. I will just stand up.'' I went toward the back and held on and stood up, and for whatever it was worth—nothing, probably, but to me at least what I did was not totally helpless. It occurred to me as a youngster, this makes no sense at all.

The thought that it took Rosa Parks to turn it around is amazing to me. It shows you how institutions of discrimination are so inculcated in society that it takes that kind of bravery to turn it around.

What is the message of all of this when we give Rosa Parks this medal? It is, of course, to remember these times, because if we don't remember the past, we are bound to repeat it. Everybody said that it is true. But it is also a message to our young people, and to all of us who live pretty good lives—that we should have a little bit of courage in our lives, that when we see something wrong, if we hear something that is offensive, that is hurtful, it is real easy to turn the other way. And we hear it all the time. We always say, ''Well, I don't want to really not be liked by everyone. I don't want to say anything. They will think I am 'politically correct'.'' I hate that term, because I don't get that term. It is either right or it is wrong. It is not ''politically'' anything. It is right or it is wrong. If it is wrong, we need to do something. We may not have the courage of Rosa Parks. Not all of us are born with that. But there are things that we can do.

Mrs. Parks' quiet strength and defiance helped commence one of the most profound social movements in American history. Imagine just saying, ''No. I will not give up. I have a right to be treated equally.'' She helped precipitate the Civil Rights Act of 1964. It took a long time. But we came around.

That is why this country is so great, because we do the right thing.

There she was, a woman of 42 years old, well respected, and had a lot to lose by acting out in this way. But she did it.

She also refused to take ''Black Only'' escalators, and often avoided riding the bus home from work because of the constant harassment and the segregated seating arrangement.

Finally, she acted. Her arrest was a call to action for the African American residents in Montgomery, AL, who were determined to fight segregation and win.

That boycott lasted 382 days, and it involved 42,000 boycotters. It cost the bus company a lot of profit.

Then, in 1956, the U.S. Supreme Court ruled that the Montgomery segregation law was illegal and ordered the desegregation of buses.

That was the first of many victories for those in the civil rights movement.

When you see Mrs. Parks, you will see a fragile person. You look in her eyes, and you try to imagine what it was like for her to do what she did. But you see a strength in those eyes. She kept the community glued together for the common goal of equality, and she changed this Nation for the better forever.

This is what she said when someone asked her how she would like to be known. She said, ''I would like to be known as a person who is concerned about freedom and equality and justice and prosperity for all people.''

Her actions made sure that this Nation does offer freedom, equality, justice, and prosperity to all people if they work hard for it.

Our courts ensure that people are free from discrimination. When we see it here, we cry out about it with one voice, whether it is against people for the color of their skin, their sexual orientation, their disability, or their religion. It is all part of what it means to be an American, it seems to me, to fight for equality for all our people. That is what makes us a better country. It makes us a more prosperous nation.

In closing, I will read part of the preamble to the Constitution. The great thing about our country is we don't put our Constitution on a back shelf. We try to make it real. There are a lot of nations in the world that have good constitutions but they don't enforce them.

WE THE PEOPLE of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this CONSTITUTION. . . .

''[D]omestic Tranquility.'' It is not tranquil if we are hurting one another, if we discriminate against one another.

''[E]stablish Justice.'' We have no justice if people can't sit down on the bus or can't go to a school simply because of the color of their skin or because of a disability.

''[P]romote the general Welfare.'' You can't have a society where everyone is moving forward if we discriminate against people.

This Constitution is a magnificent document, and Rosa Parks, with her action, made that Constitution a living document. The Supreme Court looked at what was going on and they said that was wrong; it is unconstitutional to harm people, to discriminate against people, because of the status of their birth. So we continue to fight for civil rights. These fights come in many different ways. I think it is pretty simple. It is what Mrs. Parks said:

I would like to be known as a person who is concerned about freedom, equality, justice and prosperity for all people.

Very simple. But I think we ought to look at that and give everything we do here the Rosa Parks test: Are we doing the right thing for the people of this great Nation? She deserves this congressional medal, this gold medal.

I am very proud, Madam President, to have the opportunity to be here and make a few comments. I reserve the remainder of my time, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, I am delighted to see the Senate take up this bill—and I suspect we will pass this bill unanimously—honoring the courage and leadership of Rosa Parks. She played a significant role in moving this country toward recognition of human dignity and protection of civil rights of all our citizens.

As we move forward in unanimity to call for a medal to recognize Rosa Parks' contribution to our history, I hope all of the sponsors and supporters of this bill will also take at least a moment to consider not only the progress we made but the distance we have yet to travel.

I hope, among other things, the Senate will honor Rosa Parks and all that the civil rights movement in this country has accomplished by moving forward with the nomination of Bill Lann Lee to head the Civil Rights Division at the Department of Justice. Action on this matter is long overdue.

Bill Lann Lee is the first Asian American to be nominated to head the Civil Rights Division in its history, 42-year history. He is currently serving as the Acting Assistant Attorney General for Civil Rights as he has for almost 16 months. He has done an impressive job enforcing our Nation's civil rights laws.

He was originally nominated in July 1997. Despite his excellent credentials and legal record, some chose to demagogue his nomination and turn it into a symbolic vote against the President.

Six former Assistant Attorneys General for Civil Rights, from the Eisenhower through the Bush administrations, wrote to the Judiciary Committee in support of his nomination: Harold Tyler, Burke Marshall, Stephen J. Pollak, J. Stanley Pottinger, Drew Days, and John R. Dunne. But he has still not come before the Senate.

He was renominated in January 1998, but the committee went all of last session without reporting his nomination. He was renominated again for the third time last month. It is past time to do the right and honorable thing, and report this qualified nominee to the Senate.

I hope, Madam President, that the Senate will be allowed to vote on Bill Lann Lee and not just leave him bottled up in a committee where a small minority of the Senate can vote. After 29 months and three sessions of Congress, bring it before the Senate of the United States, so that all Senators—Republican and Democrat alike—can either vote for him or vote against him. Let all Senators state to the country whether this extraordinary person is going to be allowed to serve in the position for which he has been nominated or whether we will tell this outstanding Asian American that the doors of the Senate are closed to him.

That is the question. Do we open the doors to this outstanding Asian American or do we close the doors? Right now they are closed. Let's have them open.

Civil Rights is about human dignity and opportunity. Bill Lann Lee's nomination ought to have the opportunity for an up or down vote on the Senate floor. He should no longer be forced to ride in the back on the nominations bus but be given the fair vote that he deserves.

After looking at Bill Lee's record, I knew he was a man who could effectively lead the Civil Rights Division, enforce the law and resolve disputes. Prior to his tenure at the Department of Justice, he had been involved in approximately 200 cases in his 23 years of law practice, of which he settled all but six of them. This is strong evidence that Mr. Lee is a problem solver and practical in his approach to the law. No one who has taken the time thoroughly to review his record could call him an idealogue. I knew Bill Lee would be reasonable and practical in his approach to the job, and that he would be a top-notch enforcer of the nation's civil rights laws. All of this has proven true.

Over the past several months, Bill Lee has been acting head of the Civil Rights Division the way it should be run. Here in Washington, where we have a lot of show horses, Bill Lee is a work horse—a dedicated public servant who is working hard to help solve some of our nation's most difficult problems. He is solving problems every day in big and small cases, which are settled or

brought to trial by his remarkable team of attorneys in the Division.

During his tenure, the Civil Rights Division has resolved several hate crimes cases, including: In Idaho, six men pleaded guilty to engaging in a series of racially motivated attacks on Mexican-American men, women and children, some as young as 9-years-old; in Arizona, three members of a skinhead group pleaded guilty to burning a cross in the front yard of an African-American woman; and in Texas, a man pleaded guilty to entering a Jewish temple and firing several gun shots while shouting anti-Semitic slurs.

The Division has also been vigorously enforcing our criminal statutes, including: indictments against three people in Arkansas charged with church burning; guilty pleas by 16 Puerto Rico correctional officers who beat 22 inmates and then tried to cover it up; cases arising from Mexican women and girls, some as young as 14, being lured to the U.S. and then being forced into prostitution; and guilty pleas from 18 defendants who forced 60 deaf Mexican nationals to sell trinkets on the streets of New York. Out of concerns about slavery continuing in the U.S., Bill Lee has created a Worker Exploitation Task Force to coordinate enforcement efforts with the Department of Labor. I commend Mr. Lee for putting the spotlight on these shameful crimes.

Other significant cases which the Civil Rights Division has handled over the past year include the following: several long-standing school desegregation cases were settled or their consent decrees were terminated, including cases in Kansas City, Kansas; San Juan County, Utah; and Indianapolis, Indiana. Japanese-Latin Americans who were deported and interned in the United States during World War II also received compensation last year. Lawsuits in Ohio and Washington, D.C. were settled to allow women better access to women's health clinics.

This record indicates that Bill Lee has been running the Division the way it should be run. Over the past year, we have seen the strong and steady work of the Division — solid achievements and effective law enforcement. I had high expectations for Bill Lee when he was nominated and I have not been disappointed. He is doing a terrific job, and I know that he will keep up the good work.

Given his outstanding work as Acting Assistant Attorney General for Civil Rights, I urge the Committee and the Senate to take up his nomination and accord him the dignity of a Senate vote. I am confident that in a fair vote on his nomination Bill Lann Lee will be confirmed by the United States Senate as the Assistant Attorney General for Civil Rights. He should no longer be relegated to second class status as an Acting Assistant Attorney General. He should be confirmed and serve out his term with the full measure of dignity accorded to all other Assistant Attorneys General in charge of Civil Rights during our history.

When Bill Lee appeared before the Committee for his confirmation hearing in 1997, he testified candidly about his views, his work and his values. He articulated to us that he understands that as the Assistant Attorney General for the Civil Rights Division his client is the United States and all of its people. He told us poignantly about why he became a person who has dedicated his life to equal justice for all when he spoke of the treatment that his parents received as immigrants. Mr. Lee told us how in spite of his father's personal treatment and experiences, William Lee remained a fierce American patriot, volunteered to serve in the United States Army Air Corps in World War II and never lost his belief in America.

He inspired his son just as Bill Lee now inspires his own children and countless others across the land. They are the kind of heroes that we honor and respect as fellow Americans. Mr. Lee told us:

> My father is my hero, but I confess that I found it difficult for many years to appreciate his unflinching patriotism in the face of daily indignities. In my youth, I did not understand how he could remain so deeply grateful to a country where he and my mother faced so much intolerance. But I began to appreciate that the vision he had of being an American was a vision so compelling that he could set aside the momentary ugliness. He knew that the basic American tenet of equality of opportunity is the bedrock of our society.

I know that Bill Lann Lee has remained true to all that his father taught him and I hope that the ''momentary ugliness'' of people opposing his nomination based on an ideological litmus test, and of people distorting his achievements and beliefs, and of some succumbing to narrow partisanship, will not be his reward for a career of good works. Such treatment drives good people from public service and distorts the role of the Senate.

I have often referred to the Senate as acting at its best when it serves as the conscience of the nation. In this case, I am afraid that the Senate may show no conscience. I call on the Senate's Republican leadership to end their targeting of Bill Lann Lee and to work with us to bring this nomination to the floor without obstruction so that the Senate may vote and we may confirm a fine person to lead the Civil Rights Division into the next century. Racial discrimination, and harmful discrimination in all its forms—remains one of the most vexing unsolved problems of our society. Let the Senate rise to this occasion to unite the nation.

Bill Lann Lee is highly educated and highly skilled. He could have spent his career in the comfort and affluence of any one of the nation's top law firms. Yet he chose to spend his career on the front lines, helping to open the doors of opportunity to those who struggle in our society. And now some decry his lifetime of advocacy for civil rights by arguing that a civil rights advocate should not head the Civil Rights Division. The chief enforcement officer for our civil rights should be someone who believes in our civil rights laws.

Bill Lee's skills, his experience, the compelling personal journey that he and his family have traveled, his commitment to full opportunity for all Americans—these qualities appeal to the best in us. Let us affirm the best in us. Let us confirm—or at least allow the Senate to vote on the confirmation of this good man. We need Bill Lann Lee's proven problem-solving abilities in these difficult times.

If the Senate is allowed to decide, I believe he will be confirmed and will move this country forward to a time when discrimination will subside and affirmative action is no longer needed; a time when each child— girl or boy, black or white, rich or poor, urban or rural, regardless of national or ethnic origin and regardless of sexual orientation or disability—shall have a fair and equal opportunity to live the American dream.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUNNING. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUNNING. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Utah (Mr. BENNETT), the Senator from Tennessee (Mr. FRIST), the Senator from New Hampshire (Mr. GREGG), the Senator from Vermont (Mr. JEFFORDS), the Senator from Arizona (Mr. MCCAIN), and the Senator from Alabama (Mr. SHELBY) are necessarily absent.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Massachusetts (Mr. KERRY), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Maryland (Ms. MIKULSKI), the Senator from Rhode Island (Mr. REED), the Senator from Maryland (Mr. SARBANES), and the Senator from New Jersey (Mr. TORRICELLI) are necessarily absent.

I also announce that the Senator from New York (Mr. MOYNIHAN) is absent due to surgery.

I further announce that, if present and voting, the Senator from New York (Mr. MOYNIHAN) and the Senator from

Rhode Island (Mr. REED) would each vote ''aye.''

The PRESIDING OFFICER (Mr. FITZGERALD). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 86, nays 0, as follows:

[Rollcall Vote No. 88 Leg.]

YEAS—86

Abraham	Durbin	Lincoln
Akaka	Edwards	Lott
Allard	Enzi	Lugar
Ashcroft	Feingold	Mack
Baucus	Feinstein	McConnell
Bayh	Fitzgerald	Murkowski
Bingaman	Gorton	Murray
Bond	Graham	Nickles
Boxer	Gramm	Reid
Breaux	Grams	Robb
Brownback	Grassley	Roberts
Bryan	Hagel	Rockefeller
Bunning	Harkin	Roth
Burns	Hatch	Santorum
Byrd	Helms	Schumer
Campbell	Hollings	Sessions
Chafee	Hutchinson	Smith (NH)
Cleland	Hutchison	Smith (OR)
Cochran	Inhofe	Snowe
Collins	Inouye	Specter
Conrad	Johnson	Stevens
Coverdell	Kennedy	Thomas
Craig	Kerrey	Thompson
Crapo	Kohl	Thurmond
Daschle	Kyl	Voinovich
DeWine	Landrieu	Warner
Dodd	Leahy	Wellstone
Domenici	Levin	Wyden
Dorgan	Lieberman	

NOT VOTING—14

Bennett	Kerry	Reed
Biden	Lautenberg	Sarbanes
Frist	McCain	Shelby
Gregg	Mikulski	Torricelli
Jeffords	Moynihan	

The bill (S. 531) was passed, as follows:

S. 531

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

The Congress finds that—

(1) Rosa Parks was born on February 4, 1913, in Tuskegee, Alabama, the first child of James and Leona (Edwards) McCauley;

(2) Rosa Parks is honored as the ''first lady of civil rights'' and the ''mother of the freedom movement'', and her quiet dignity ignited the most significant social movement in the history of the United States;

(3) Rosa Parks was arrested on December 1, 1955, in Montgomery, Alabama, for refusing to give up her seat on a bus to a white man, and her stand for equal rights became legendary;

(4) news of Rosa Parks' arrest resulted in 42,000 African Americans boycotting Montgomery buses for 381 days, beginning on December 5, 1955, until the bus segregation laws were changed on December 21, 1956;

(5) the United States Supreme Court ruled on November 13, 1956, that the Montgomery segregation law was unconstitutional, and on December 20, 1956, Montgomery officials were ordered to desegregate buses;

(6) the civil rights movement led to the Civil Rights Act of 1964, which broke down the barriers of legal discrimination against African Americans and made equality before the law a reality for all Americans;

(7) Rosa Parks is the recipient of many awards and accolades for her efforts on behalf of racial harmony, including the Springarn Award, the NAACP's highest honor for civil rights contributions, the Presidential Medal of Freedom, the Nation's highest civilian honor, and the first International Freedom Conductor Award from the National Underground Railroad Freedom Center;

(8) Rosa Parks has dedicated her life to the cause of universal human rights and truly embodies the love of humanity and freedom;

(9) Rosa Parks was the first woman to join the Montgomery chapter of the NAACP, was an active volunteer for the Montgomery Voters League, and in 1987, cofounded the Rosa and Raymond Parks Institute for Self-Development;

(10) Rosa Parks, by her quiet courage, symbolizes all that is vital about nonviolent protest, as she endured threats of death and persisted as an advocate for the simple, basic lessons she taught the Nation and from which the Nation has benefited immeasurably; and

(11) Rosa Parks, who has resided in the State of Michigan since 1957, has become a living icon for freedom in America.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The President is authorized to award to Rosa Parks, on behalf of the Congress, a gold medal of appropriate design honoring Rosa Parks in recognition of her contributions to the Nation.

(b) DESIGN AND STRIKING.—For the purposes of the award referred to in subsection (a), the Secretary of the Treasury (hereafter in this Act referred to as the ''Secretary'') shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

SEC. 3. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 2, under such regulations as the Secretary may prescribe, and at a price sufficient to cover the costs thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 4. STATUS AS NATIONAL MEDALS.

The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

SEC. 5. FUNDING.

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund an amount not to exceed $30,000 to pay for the cost of the medals authorized by this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals under section 3 shall be deposited in the United States Mint Public Enterprise Fund.

Mrs. HUTCHISON. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MORNING BUSINESS

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators permitted to speak up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business Friday, April 16, 1999, the federal debt stood at $5,640,540,994,484.49 (Five trillion, six hundred forty billion, five hundred forty million, nine hundred ninety-four thousand, four hundred eighty-four dollars and forty-nine cents).

One year ago, April 16, 1998, the federal debt stood at $5,510,369,000,000 (Five trillion, five hundred ten billion, three hundred sixty-nine million).

Fifteen years ago, April 16, 1984, the federal debt stood at $1,486,333,000,000 (One trillion, four hundred eighty-six billion, three hundred thirty-three million).

Twenty-five years ago, April 16, 1974, the federal debt stood at $473,584,000,000 (Four hundred seventy-three billion, five hundred eighty-four million) which reflects a debt increase of more than $5 trillion—$5,166,956,994,484.49 (Five trillion, one hundred sixty-six billion, nine hundred fifty-six million, nine hundred ninety-four thousand, four hundred eighty-four dollars and forty-nine cents) during the past 25 years.

HONORING 1999 NATIONAL TEACHER OF THE YEAR

Mr. COVERDELL. Mr. President, I rise today to congratulate Andrew Baumgartner of Augusta, Georgia on being named the 1999 National Teacher of the Year.

Mr. Baumgartner, who teaches kindergarten at A. Brian Merry Elementary School in Augusta, has been a teacher for 23 years. His motivation and source of inspiration comes in part from the belief that it was his duty to give something back to society, and he has done so through his teaching.

To achieve his goal of getting kids to learn, Mr. Baumgartner creates a sense of adventure in his classroom. He has used his creativity and imagination to bring the magic of reading and learning to the minds of his kids.

The award, sponsored by the Council of Chief State School Officers and Scholastic, Inc., will send Mr. Baumgartner on a promotional tour as 1999 National Teacher of the Year, where he will share his innovative ideas with other teachers around the nation. I wish Mr. Baumgartner the best of luck during this tour and am confident that he will inspire other teachers with his creativity and willingness to do whatever it takes to get kids to learn.

Once again, Mr. President, I congratulate Andrew Baumgartner on being named 1999 National Teacher of the Year and I commend him for his dedication to teaching America's youth. As we continue to search for ways to improve education in our country, let us look at the example set by Mr. Baumgartner and be inspired by his commitment to education.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILLS SIGNED

Under the authority of the order of January 6, 1999, the Secretary of the Senate on April 16, 1999, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

H.R. 1376. An act to extend the tax benefits available with respect to services performed

in a combat zone to services performed in the Federal Republic of Yugoslavia (Serbia/Montenegro) and certain other areas, and for other purposes.

H.R. 911. An act to designate the Federal building located at 310 New Bern Avenue in Raleigh, North Carolina, as the ''Terry Sanford Federal Building.''

Under the authority of the order of January 6, 1999, the enrolled bills were signed on April 16, 1999, during the adjournment of the Senate by the President pro tempore (Mr. THURMOND).

MESSAGES FROM THE HOUSE

At 12:17 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 81. Concurrent resolution permitting the use of the Rotunda of the Capitol for a Ceremony in honor of the Fiftieth Anniversary of the North Atlantic Treaty Organization (NATO) and welcoming the three newest members of NATO, the Republic of Poland, the Republic of Hungary, and the Czech Republic, into NATO.

H. Con. Res. 83. Concurrent resolution expressing the sense of the Congress that the Government of the Federal Republic of Yugoslavia and its President Slobodan Milosevic release the three detained United States servicemen and abide by the Geneva Conventions regarding the treatment of both prisoners of war and civilians.

MEASURES REFERRED

The following concurrent resolution was read and referred as indicated:

H. Con. Res. 83. A concurrent resolution expressing the sense of the Congress that the Government of the Federal Republic of Yugoslavia and its President Slobodan Milosevic release the three detained United States servicemen and abide by the Geneva Conventions regarding the treatment of both prisoners of war and civilians; to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–29. A resolution adopted by the Senate of the Legislature of the State of Michigan; to the Committee on Appropriations.

SENATE RESOLUTION NO. 21

Whereas, The Michigan National Guard carries out a demanding mission with responsibilities to both the state and the federal government. The citizen soldiers who make up the National Guard must train to meet a demanding federal role in support of the active components of the Armed Forces as well as remaining on call to assist with emergencies in the state; and

Whereas, Training time is precious for the National Guard personnel who must strive to match active duty standards. In order to maximize training time, a cadre of full-time National Guard personnel carry out a number of duties essential to the smooth functioning of a National Guard unit. They make sure everybody is paid on time, review retirement points, process orders for military education, and resolve other administrative issues for the soldiers and airmen; and

Whereas, Analysis by the Department of Defense shows that the National Guard has fewer than half the number of full-time personnel required to perform all the tasks necessary to carry out its missions. Nonetheless, federal budget analysts continue to propose additional cuts to the full-time force in the National Guard; and

Whereas, Even maintaining the status quo increases the duties of the full-time personnel because of the greater burden the National Guard shoulders today. Operations in Bosnia, the Sinai, Haiti, and the Gulf, plus support for the war on drugs, increase the workload of full-time staff. Additional missions such as the National Guard's new role in combating the threat of weapons of mass destruction add to the duties. The vital role of the National Guard in protecting our state and nation requires increased federal funding; now, therefore, be it

Resolved by the Senate, That we memorialize the President and Congress to increase funding for full-time National Guard personnel; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–30. A resolution adopted by the Legislature of the State of Nebraska; to the Committee on Finance.

LEGISLATIVE RESOLUTION 29

Whereas, the State of Nebraska filed a lawsuit against the tobacco industry on August 21, 1998, in the district court of Lancaster County; and

Whereas, the State of Nebraska and forty-five other states settled their lawsuits against the tobacco industry on November 23, 1998, under terms of the Tobacco Master Settlement Agreement (MSA) without any assistance from the federal government; and

Whereas, under terms of the Master Settlement Agreement, Nebraska's lawsuit against the tobacco industry was dismissed by the district court of Lancaster County on December 20, 1998, and State Specific Finality was achieved in the State of Nebraska on January 20, 1999; and

Whereas, the State of Nebraska has passed legislation to allocate its portion of settlement funds awarded under the Master Settlement Agreement for the preservation of the health of its citizens; and

Whereas, the federal government, through the Health Care Financing Administration, has asserted that it is entitled to a significant share of settlement funds awarded to the settling states under the Master Settlement Agreement on the basis that such funds represent a portion of federal Medicaid costs; and

Whereas, the federal government previously chose not to exercise its option to file a federal lawsuit against the tobacco industry, but on January 19, 1999, the President of the United States announced plans to pursue federal claims against the tobacco industry; and

Whereas, the State of Nebraska is entitled to all of its portion of settlement funds negotiated in the Master Settlement Agreement without any federal claim to such funds; now, therefore, be it

Resolved by the members of the ninety-sixth legislature of Nebraska, first session:

1. That the Legislature hereby petitions the Congress of the United States and the executive branch of the federal government to prohibit federal recoupment of state tobacco settlement recoveries.

2. That official copies of this resolution be prepared and forwarded to the Speaker of the United States House of Representatives and President of the United States Senate and to all members of the Nebraska delegation to the Congress of the United States with the request that it be officially entered into the Congressional Record as a memorial to the Congress of the United States.

3. That a copy of the resolution be prepared and forwarded to President William J. Clinton.

POM–31. A resolution adopted by the Senate of the Legislature of the State of Rhode Island; to the Committee on Finance.

SENATE RESOLUTION

Whereas, November 23, 1998, representatives from forty-six (46) states signed a settlement agreement with the five (5) largest tobacco manufacturers; and

Whereas, The Attorneys General Master Tobacco Settlement Agreement culminated legal action that began in 1994 when states began filing lawsuits against the tobacco industry; and

Whereas, The respective states are presently in the process of finalizing the terms of the Master Tobacco Settlement Agreement, and are making initial fiscal determinations relative to the most responsible ways and means to utilize the settlement funds; and

Whereas, Under the terms of the agreement, tobacco manufacturers will pay $206 billion over the next twenty-five (25) years to the respective states in up-front and annual payments; and

Whereas, Rhode Island is projected to receive $1,408,469,747 through the year 2025 under the terms of the Master Tobacco Settlement Agreement; and

Whereas, Because many state lawsuits sought to recover Medicaid funds spent to treat illnesses caused by tobacco use, the Health Care Financing Administration (HCFA) contends that it is authorized and obligated, under the Social Security Act, to collect its share of any tobacco settlement funds attributable to Medicaid; and

Whereas, The Master Tobacco Settlement Agreement does not address the Medicaid recoupment issue, and thus the Social Security Act must be amended to resolve the recoupment issue in favor of the respective states; and

Whereas, In addition to the recoupment issue, there is also considerable interest, at both the state and national levels, in earmarking state tobacco settlement fund expenditures; and

Whereas, As we move toward final approval of the Master Tobacco Settlement Agreement, it is imperative that state sovereignty be preserved; now, therefore, be it

Resolved, That this Senate of the State of Rhode Island and Providence Plantations do hereby memorialize the United States Congress to enact legislation amending the Social Security Act to prohibit recoupment by the federal government of state tobacco settlement funds; and be it further

Resolved, That it is the sense of this Senate that the respective state legislatures should have complete autonomy over the appropriation and expenditure of state tobacco settlement funds; and be it further

Resolved, That the Secretary of State be and he is hereby authorized and directed to transmit duly certified copies of this resolution to the Honorable Bill Clinton, President of the United States of America; the President and the Secretary of the U.S. Senate; the Speaker and the Clerk of the U.S. House of Representatives; and to each member of the Rhode Island Congressional Delegation.

POM–32. A resolution adopted by the Senate of the Legislature of the Commonwealth

of Pennsylvania to the Committee on Finance.

RESOLUTION

Whereas, In 1994, several states initiated the first lawsuits against the tobacco industry based on violations of state law; and

Whereas, In 1997, suit was filed by Attorney General D. Michael Fisher on behalf of the Commonwealth; and

Whereas, In November 1998, Attorneys General from 46 states, including the Commonwealth, signed a settlement agreement with the five largest tobacco manufacturers; and

Whereas, As part of the national settlement with the tobacco industry, the tobacco industry will pay the states more than $200 billion to settle all state lawsuits; and

Whereas, The Commonwealth will be the recipient of more than $11 billion over the next 25 years; and

Whereas, The national tobacco settlement was solely attributable to states' efforts, was based on state costs and was reached without any assistance from the Federal Government; and

Whereas, The Federal Government is attempting to recoup a sizeable portion of the states' settlement on the theory that section 1903(a)(3) of the Social Security Act (49 Stat. 620, 42 U.S.C. §1396b(a)(3)) entitles the Federal Government to a pro rata share of the net amount recovered by a state from liable third parties for the amount spent under Medicaid on behalf of eligible individuals; and

Whereas, The Federal Government is not entitled to take away from the states any funds negotiated on their behalf to settle state lawsuits for recovery of state costs; and

Whereas, The Federal Government can initiate its own lawsuit or settlement with the tobacco industry to recoup Federal Medicaid funds; and

Whereas, Recently, there have been unsuccessful efforts in the United States Senate to earmark or otherwise impose Federal restrictions on the respective states' use of state tobacco settlement funds; and

Whereas, The payments to the Commonwealth will be used to fund important programs and initiatives in this Commonwealth as determined by the General Assembly; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania memorialize the Congress of the United States to enact legislation clarifying section 1903(a)(3) of the Social Security Act (49 Stat. 620, 42 U.S.C. §1396b(a)(3)) to protect the states from Federal seizure of any portion of the tobacco settlement funds by the Secretary of Health and Human Services as an overpayment under the Federal Medicaid program; and be it further

Resolved, That the Senate commend the United States Senate for its recent actions to protect the states from loss of autonomy over use of the funds and memorialize Congress to support and enact legislation to fully recognize the states' complete autonomy over the expenditure of state tobacco settlement funds; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM–33. A resolution adopted by the House of the Legislature of the Commonwealth of Puerto Rico; to the Committee on Foreign Relations.

RESOLUTION

To express the request of the House of Representative of Puerto Rico, to the President of the United States, William Jefferson Clinton, and to the Secretary of State, Madeleine Albright, for them to use all means in their power to intercede in behalf of the liberation of the people arrested and subject to trial in Cuba, for the sole cause of dissidence towards the policies of the government of said Republic, or their exercise of freedom of the press, or their support of the rights of dissidents and journalists.

STATEMENT OF MOTIVES

The rights of freedom of speech, press and to claim redress to the government of the country of which one is a citizen, and to a speedy, public and impartial trial, are norms that govern the rights in all places and for all people, recognized as such since the time of the American and French Revolutions in the XVIII century to the proclamation of the Universal Declaration of Human Rights by the United Nations, fifty years ago and which is still in effect.

This last document was presented to the General Assembly when the delegation of the Republic of Cuba was one of its original subscribers. However, the government of our sister Republic of the Antilles does not respect this principle today.

On July 16, 1997, the Cuban authorities arrested four citizens: Vladimiro Roca-Antónes, Marta Beatriz Roque-Cabello, Félix Bome-Carcasés and René Gómez-Manzano, for the sole reason of having made statements and published documents in which they denounced their dissatisfaction with the thesis of the governing party and exhorted the people to take pacific civil action. For this action, that in Puerto Rico and the democratic countries is totally acceptable in politics and in community life, and which did not entail any act of violence against persons or property, the Cuban government accused the four of counterrevolutionary activities and kept them in prison for nineteen months prior to their trial. During this period, persons such as Pope John Paul II—who achieved the pardon and commutation of penalties for many convicts in many countries—and prime minister Jean Chrétien of Canada, a country with which Cuba has good relations—asked for the freedom of the group of four, which went unnoticed.

In addition to this, as the date of the trial near, the authorities of the neighboring country initiated a wave of detentions and arrests of citizens. Some of them, for being associated to dissident activities, but many others for having simply stated their sympathy or asked for tolerance for those who were first arrested, including the members of the independent news bureau ''Cubapress''. Many were detained or placed under house arrest during the last days in order to prevent public demonstrations of support. The total number of arrests is estimated in the hundreds, many of whom were detained for short periods, and others for longer ones, and some of them, such as poet Raúl Rivero and the Christian-Democratic leader Osvaldo Payá, were still under arrest when this Resolution was drafted.

On March 1, 1999, when after nineteen months, the Cuban government submitted the four dissidents to a flash trial which lasted only one day, during which it used public force to keep the accredited press and the public at a considerable distance and prevent their access. Observers of recognized diplomatic personnel of the United States, Poland, the Czech Republic, Great Britain, as well as Switzerland, a neutral country, and South Africa which has a revolutionary government, were also denied access.

The People of Puerto Rico, who, as our poet said, ''receive flowers or bullets in the same heart'' as that of Cuba, expresses solidarity with its sisters and brothers who simply seek to exercise their natural and undeniable right of expression, and demand a dialogue on the future of their country.

The government of Puerto Rico, due to the nature of our present political status, depends on the international forum of the United States government as its representative and agent endowed with sovereignty, without having a direct representation in the instruments of power of said representative and agent. Nevertheless, the House of Representatives cannot remain silent in view of this situation, and, in behalf of the People of Puerto Rico, and under the guarantee of freedom of speech and protest which we enjoy, and which is not enjoyed in Cuba, remits to the government of the United States our clamor to act through all available means to intercede for the freedom of these imprisoned conscientious objectors; now, therefore, be it

Resolved by the House of Representatives of Puerto Rico:

Section 1.—To express the clamor of the House of Representatives of Puerto Rico to the President of the United States, William Jefferson Clinton, and the Secretary of State, Madeleine Albright, to use all means in their power to intercede for the freedom of those persons detained and tried in Cuba solely for their dissidence with the government policies of said republic, or for their exercise of freedom of the press, or their support of the rights of dissidents and journalists.

Section 2.—To state our special concern in the case of journalists, authors and communicators such as Vladimir Roca-Antonés, Marta Beatriz Roque-Cabello, Félix Bonne-Carcases and René Gómez-Manzano, and the members and directors of independent news bureaus.

Section 3.—This Resolution shall be translated and remitted expeditiously to the President of the United States, William Jefferson Clinton, and to the Secretary of State, Madeleine Albright, as well as to the presidents of both houses of the Congress of the United States.

Section 3.—This Resolution shall take effect immediately after its approval.

POM–34. A concurrent resolution adopted by the Assembly of the State of North Dakota; to the Committee on Rules and Administration.

SENATE CONCURRENT RESOLUTION NO. 4024

A concurrent resolution designating Sakakawea to be honored and memoralized with a statue in the National Statuary Hall in the United States Capitol in Washington, D.C.

Whereas, Sakakawea was a traveler and guide, a translator, a diplomat, and a wife and mother; and

Whereas, Sakakawea was an Indian woman guide for Meriwether Lewis and William Clark and Sakakawea's indomitable spirit was a deciding factor in the success of Lewis and Clark's two-year expedition to the northwest quadrant of the United States; and

Whereas, William Clark wrote in 1806 that Sakakawea deserved a greater reward for her attention and services on the expedition that he had in his power to give her; and

Whereas, Sakakawea is a legend of truly historic dimensions who lived in what would later become North Dakota and who made a lasting contribution through her courage and resourcefulness; and.

Whereas, Sakakawea's traits—strength, courage, a generous heart, and pioneering spirit—have been an essential part of the character found in North Dakotans, thereby representing the best of who we are and why we will always persevere; now, therefore, be it

Resolved by the Senate of North Dakota, the House of Representatives concurring therein:

That the Fifty-sixth Legislative Assembly designate Sakakawea to be honored and memorialized with a statue in the National Statuary Hall in the United States Capitol in Washington, D.C.; and be it further

Resolved, That the Secretary of State forward copies of this resolution to the chairman of each Indian tribe in this state, to each member of the North Dakota Congressional Delegation, and to the President of the Senate and the Speaker of the House of Representatives of the United States Congress.

EXECUTIVE REPORTS OF A COMMITTEE

The following executive reports of a committee were submitted:

By Mr. JEFFORDS, for the Committee on Health, Education, Labor, and Pensions:

Gordon Davidson, of California, to be a Member of the National Council on the Arts for a term expiring September 3, 2004.

George M. Langford, of New Hampshire, to be a Member of the National Science Board, National Science Foundation.

Joseph A. Miller, Jr., of Delaware, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2004.

Robert C. Richardson, of New York, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2004.

Cleo Parker Robinson, of Colorado, to be a Member of the National Council on the Arts for a term expiring September 3, 2004.

Maxine L. Savitz, of California, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2004.

Luis Sequeira, of Wisconsin, to be Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2004.

Alice Rae Yelen, of Louisiana, to be a Member of the National Museum Services Board for a term expiring December 6, 2001.

(The above nominations were reported with the recommendation that they be confirmed, subject to nominees commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Mr. JEFFORDS. Mr. President, for the Committee on Health, Education, Labor, and Pensions, I also report favorably a Public Health Service list which was printed in full in the RECORD of January 19, 1999, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar, that the nomination list lie at the Secretary's desk for the information of the Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

In the Public Health Service, nominations beginning Roger I.M. Glass, and ending Richard C. Whitmire, which were received by the Senate and appeared in the CONGRESSIONAL RECORD of January 19, 1999.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. THOMAS (for himself, Mr. KYL, and Mr. HELMS):

S. 826. A bill to limit the acquisition by the United States of land located in a State in which 25 percent or more of the land in that State is owned by the United States; to the Committee on Energy and Natural Resources.

By Mr. ROCKEFELLER (for himself and Mr. BYRD):

S. 827. A bill to establish drawback for imports of N-cyclohexyl-2-benzothiazolesulfenamide based on exports of N-tert-Butyl-2-benzothiazolesulfenamide; to the Committee on Finance.

By Mr. DURBIN:

S. 828. A bill for the relief of Corina Dechalup; to the Committee on the Judiciary.

By Ms. SNOWE:

S. 829. A bill to deauthorize the project for navigation, Searsport Harbor, Searsport, Maine; to the Committee on Environment and Public Works.

S. 830. A bill to deauthorize the project for navigation, Carvers Harbor, Vinalhaven, Maine; to the Committee on Environment and Public Works.

By Mr. MCCAIN:

S. 831. A bill to authorize the Secretary of the Interior to set aside up to $2 per person from park entrance fees or assess up to $2 per person visiting the Grand Canyon or other national park to secure bonds for capital improvements to the park, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LUGAR (for himself, Mr. ROTH, Mr. LOTT, Mr. LIEBERMAN, Mr. DEWINE, Mr. VOINOVICH, and Mr. HAGEL):

S. Con. Res. 27. A concurrent resolution establishing the policy of the United States toward NATO's Washington Summit; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THOMAS (for himself, Mr. KYL, and Mr. HELMS):

S. 826. A bill to limit the acquisition by the United States of land located in a State in which 25 percent or more of the land in that State is owned by the United States; to the Committee on Energy and Natural Resources.

NO NET LOSS OF PRIVATE LANDS ACT

Mr. THOMAS. Mr. President, this is really the ''No-Net-Gain'' bill that we have talked about before. The regulation is a commonsense proposal that will limit additional Federal land acquisition in public land States. The Federal Government continues to acquire more land throughout the Nation in every State of the Union, and folks are saying we have to take a new look at the growth of the Federal Government and begin to protect private property rights. This, however, only applies to States in which 25 percent or more of the State now belongs to the Federal Government. So, as you can imagine, the acquisition of additional lands is especially a problem for those of us living in the West.

Roughly 50 percent of the land in my home State of Wyoming is owned by the Federal Government. In some States it is as high as 87 percent—in Nevada. In Colorado, the home State of the Presiding Officer, it is higher than 50 percent. This bill deals with that sort of phenomenon. As you probably know, in the past, of course, much land was set aside in parks and forests. They were reserve lands. And I support that. I am glad they are set aside. These are national treasures and we want to keep them.

Much of the land, of course, was then put into private ownership through the Homestead Act. When that was concluded, there were still lands there that were left afterwards, and they were taken and are now managed by the Bureau of Land Management. These were not lands that were ever reserved; these were lands that were simply left over when the Homestead Act was completed.

So they, too, are managed for many uses and are important. This bill in no way asks these total lands be reduced. We are simply saying whenever there is an acquisition made for something that is useful—and it does allow the Federal Government to do that, of course—that an equal value of land, Federal land, be sent back into private ownership.

The Federal Government, of course, makes it a little more difficult sometimes in the States to have multiple use, to use them, to set them aside, to manage the environment, but at the same time have economic activities, to have mining, to have oil, to have timber, to have grazing. These are the things, of course, that are the lifeblood to the Western States. This creates often a hardship for the local economies; and it depresses the economy.

The Clinton administration, I think, has been particularly difficult in the way it has handled some of the public lands. The latest proposal, the Lands Legacy Initiative, is an example of a rather expansive acquisition of Federal lands. Again I say I have no objection to the maintaining of lands that have a special character, that have a special need, to be reserved into public ownership. All we say is, if you are going to do that, then release an equal value amount of lands back into private ownership. Many of us are very concerned about the Lands Legacy Initiative, that it will again impede the private ownership, which, of course, is a very basic thing to this whole country.

I think the time has come to put some kind of a bridle on the insatiable appetite for additional land in the western part of the United States. The No-Net-Loss of Private Lands Act is, I think, a reasonable approach to an ever-increasing growth of Federal land ownership. This measure requires the Federal Government to release an equal value of land when it acquires property in the States that are at least 25 percent federally owned.

The property would be released at the same time of the new acquisition and could be any type of Federal lands. In addition, the legislation would provide a provision waiving the disposal requirement in time of national emergency or war.

While in the Congress, both in the House and the Senate, I have worked extensively to protect unique public lands, such as national parks. I served as chairman of the National Parks Committee. I think there is nothing more important to us, in terms of preserving natural resources and cultural resources.

In fact, we passed a rather extensive bill called Vision 20/20 last year that does this. It helps to strengthen national parks. When I grew up, my parents' ranch bordered the Shoshone National Forest, so I feel very strongly about forests and that they should be there, but I do believe there needs to be some equality between the private ownership and Federal ownership. So it is time for the Congress to protect the rights of private owners and to instill some common sense and restraint in the further acquisition and growth of Federal lands. That is what this bill is designed to do. And I indicate the cosponsorship of Senator KYL and Senator HELMS.

By Mr. ROCKEFELLER (for himself and Mr. BYRD):

S. 827. A bill to establish drawback for imports of N-cyclohexyl-2-benzothiazolesulfenamide based on exports of N-tert-Butyl-2-benzothiazolesulfenamide; to the Committee on Finance.

DUTY DRAWBACK ON IMPORTS OF CBS AND TBBS

Mr. ROCKEFELLER. Mr. President, I rise today to introduce a bill that would establish the authority to provide a duty drawback on imports of two commercially interchangeable rubber vulcanization accelerators known commonly as CBS and TBBS.

CBS and TBBS are the major primary accelerators used in the production of tires and other rubber products. Both CBS and TBBS belong to the same class and subclass of rubber vulcanization chemicals, and can be used interchangeably with one another to perform the same function and to achieve the same end results. They can be manufactured by similar industrial processes using the same raw materials and identical process steps; and for all practical purposes, it is not possible to tell if CBS or TBBS were used in the final rubber product. In short, the two chemicals are commercially interchangeable in both function and use, and therefore, I believe they meet the specified circumstances required under Section 202 of U.S. trade law to receive duty drawback benefits based on a substitution basis.

More specifically, this bill is extremely important to a West Virginia company, Flexsys, that produces both CBS and TBBS, and employs 230 West Virginians with an average annual salary of $42,000. Passage of this bill will preserve these jobs in an increasingly competitive chemical market, and will permit American-made products to compete more effectively in world markets.

Because of the competitive nature of the chemical business, American companies must constantly look for new opportunities to improve efficiency, strengthen U.S. operations and cost position, and provide benefits to their customers. I believe the Congress had these goals in mind when we passed the duty drawback provisions in the Customs Modification Act of 1993. Flexsys meets the conditions set forth under the duty drawback provision that two products must be ''commercially interchangeable'' to claim a drawback credit, and I urge my colleagues to adopt this bill.

I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 827

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ESTABLISHMENT OF DRAWBACK BASED ON COMMERCIAL INTERCHANGEABILITY FOR CERTAIN RUBBER VULCANIZATION ACCELERATORS.

(a) IN GENERAL.—The United States Customs Service shall treat the chemical N-cyclohexyl-2-benzothiazolesulfenamide and the chemical N-tert-Butyl-2-benzothiazolesulfenamide as ''commercially interchangeable'' within the meaning of section 313(j)(2) of the Tariff Act of 1930 (19 U.S.C. 1313(j)(2)) for purposes of permitting drawback under section 313 of the Tariff Act of 1930 (19 U.S.C. 1313).

(b) APPLICABILITY.—Subsection (a) shall apply with respect to any entry, or withdrawal from warehouse for consumption, of the chemical N-cyclohexyl-2-benzothiazolesulfenamide before, on, or after the date of enactment of this Act, that is eligible for drawback within the time period provided in section 313(j)(2)(B) of the Tariff Act of 1930 (19 U.S.C. 1313(j)(2)(B)).

Mr. BYRD. Mr. President, I am pleased to add my name as an original cosponsor of the bill introduced by Senator ROCKEFELLER that would provide the necessary authority to implement the trade drawback allowance based on the commercially interchangeable feature of two rubber vulcanization accelerators.

These two chemicals, commonly referred to as CBS and TBBS, are one-and-the-same for all practical purposes. CBS and TBBS belong to the same class and subclass of rubber vulcanization accelerator chemicals; they can be manufactured by similar industrial processes using the same active ingredients and identical process steps; and they generally cannot be distinguished by informed analysts once used in the finished rubber product. In short, CBS and TBBS are commercially interchangeable in function and use—the specified circumstances required under Section 202 of U.S. trade law to receive duty drawback benefits on a substitution basis.

By establishing the commercial interchangeability for CBS and TBBS, duty drawback law can be implemented. Under duty drawback law, a company would receive a refund of import duties—called a duty drawback—paid by that company on its imports of CBS, based on the exports of the company's production of TBBS, or vice-versa. In other words, for every ton of TBBS that a company exports out of the United States, the company would receive a refund of duties that it paid on a ton of CBS that was imported into the United States. A drawback allowance on the commercially interchangeable standard is granted on a case-by-case authorization. The bill I join Senator ROCKEFELLER in cosponsoring would simply provide the commercially interchangeable CBS and TBBS chemicals with the necessary authorization required by law.

This bill is vital to a West Virginia company, Flexsys, that produces both CBS and TBBS. Flexsys provides 230 jobs in West Virginia with an average annual salary of $42,000. Without the duty drawback, these jobs are at risk due to the increasingly competitive chemical market. The purpose of the drawback statutes is to permit American-made products to compete more effectively in world markets. The Congress adopted drawback provisions recognizing that U.S. manufacturers need the authority to enable them to select the most advantageous production methods. Flexsys meets the conditions set forth under drawback law, and my review of Flexsys has convinced me that it is the type of company that was in mind when this Body approved the drawback statutes.

In closing, I urge my colleagues to support our effort to aid hardworking Americans through passage of this bill. Enactment of this bill would fulfill the purpose of drawback law by advancing the continued operations at Flexsys and, as a result, the utilization of American labor and capital.

By Mr. DURBIN:

S. 828. A bill for the relief of Corina Dechalup; to the Committee on the Judiciary.

PRIVATE RELIEF BILL

Mr. DURBIN. Mr. President, I rise today to introduce a private bill for the relief of Corina Dechalup of France. My bill would grant permanent resident status to Corina, affording her the legal security she needs to rebuild her life in this country.

Corina Dechalup first arrived in the United States from France in February 1990. She was admitted under the visa waiver pilot program after her then-fiancee Marin Turcinovic of Croatia was injured. Admitted on an H–1 visa in January 1990, Marin was hit by a car in Fairview, New Jersey in February 1990. Both of his legs were shattered. His spinal cord was severed, leaving him paralyzed below the neck. He will probably never walk again. Both Marin and Corina have been in the United States since their initial entries.

Corina and Marin married in February 1996, six years after his accident. Corina is an essential part of Marin's life. She has been with Marin throughout his ordeal and has been instrumental in coordinating his medical care. She has directly provided care for Marin, and he could never have reached the degree of recovery he now enjoys without her support.

Marin requires 24-hour medical care for his survival. An insurance settlement from litigation filed after the accident provides Marin with lifetime medical and rehabilitative care. Marin and Corina currently live in a specially modified house located in the Beverly community of Chicago. According to Marin's lawyers, the insurance settlement that provides for Marin's lifetime shelter and medical care would not cover him at another location.

Marin was granted permanent resident status on September 30, 1998, pursuant to former section 244 of the Immigration and Nationality Act. Though he can now file a petition requesting permanent resident status for Corina, she will still face a four to five year wait. Because she entered the U.S. under the visa waiver pilot program, she was subject to an order of deportation, without the right to an administrative hearing, once she overstayed her 90-day authorized admission in February 1990. Since 1994, she has received a stay of deportation in one year increments. She cannot currently travel to see her family in France, and she has no assurance that her stay will be renewed from one year to the next.

Before arriving in the U.S., Corina, a university graduate, worked as a tour guide for a Yugoslavian tourist agency. Although her days are primarily devoted to Marin, she has the skills and desire to find part-time employment and would like to obtain authorization to work.

Mr. President, nine years ago, fate tragically changed forever the lives of Corina Dechalup of France and her husband Marin Turcinovic of Croatia. A terrible accident in the United States left Marin permanently injured, making his return home impossible. Fortunately for Marin, he had the love and support of Corina, who left her home and her family to devote her life to him. Given the tremendous adversity that she faces on a day-to-day basis, I believe it appropriate for Congress to grant her permanent resident status. Such status would clear up much of the uncertainty that currently clouds her future, and would allow Corina and her husband to rebuild their lives in our country with confidence.

Mr. President, I ask unanimous consent that this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 828

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMANENT RESIDENCE.

Notwithstanding any other provision of law, for purposes of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Corina Dechalup shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fees.

SEC. 2. REDUCTION OF NUMBER OF AVAILABLE VISAS.

Upon the granting of permanent residence to Corina Dechalup, as provided in this Act, the Secretary of State shall instruct the proper officer to reduce by the appropriate number during the current fiscal year the total number of immigrant visas available to natives of the country of the aliens' birth under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)).

By Ms. SNOWE:

S. 829. A bill to deauthorize the project for navigation, Searsport Harbor, Searsport, Maine; to the Committee on Environment and Public Works.

DEAUTHORIZATION AND REALIGNMENT OF SEARSPORT HARBOR

By Ms. SNOWE:

S. 830. A bill to deauthorize the project for navigation, Carvers Harbor, Vinalhaven, Maine; to the Committee on Environment and Public Works.

DEAUTHORIZATION AND REALIGNMENT OF CARVERS HARBOR

● Ms. SNOWE. Mr. President, I rise today to introduce two bills that call for the deauthorization and realignment of harbor boundaries in Searsport, Maine and for Carvers Harbor on Vinalhaven Island, Maine. Passage of these bills will allow the U.S. Army Corps of Engineers to issue permits to the Maine Department of Transportation for projects that are vital to the economic well being of the town of Searsport and the island of Vinalhaven.

The first bill addresses the deauthorization and realignment of the navigation channel in Searsport Harbor so that the existing cargo pier can be replaced. The bill will allow a multi-million dollar improvement to be made to the Mack Point cargo port at the earliest possible date. In addition, a second cargo pier will be rehabilitated. The work will include new dolphin structures, which will encroach upon the existing Federal channel. The navigation project was authorized by the River and Harbor Act of October 23, 1962.

The second bill deauthorize and realigns Carvers Harbor in Vinalhaven so as to allow the construction of a new ferry terminal to replace the existing pier facility that is located within the established Army Corps of Engineers anchorage. The deauthorization will allow the ferry terminal project to remain on schedule and occur at the earliest possible date. The year round population of the island is comprised primarily of lobster fishermen and the businesses that support that industry. This navigation project was authorized by the River and Harbor Act of June 3, 1896.

Along with my support, both projects have the blessing of the respective towns and the U.S. Army Corps of Engineers. I am also working with Senator CHAFEE in the hopes of having these two harbor deauthorizations included in the Managers amendment for the Water Resources Development Act, which has already passed out of the Environment and Public Works Committee and is expected to be taken up by the full Senate shortly.

I urge the support of my colleagues for these two deauthorizations and I thank the Chair.●

By Mr. McCAIN:

S. 831. A bill to authorize the Secretary of the Interior to set aside up to $2 per person from park entrance fees or assess up to $2 per person visiting the Grand Canyon or other national parks to secure bonds for capital improvements to the park, and for other purposes; to the Committee on Energy and Natural Resources.

NATIONAL PARKS CAPITAL IMPROVEMENTS ACT OF 1999

Mr. McCAIN. Mr. President, I am renewing my efforts to provide innovative solutions to address urgently needed repairs and enhancements at our nation's parks. The legislation I am introducing today is nearly identical to the bill I sponsored in the 105th Congress, which received substantial support from many of the organizations supporting the National Parks system. I am pleased that Representative KOLBE will introduce companion legislation in the House.

The National Parks Capital Improvements Act of 1999 would help secure taxable revenue bonding authority for National Parks. This legislation would allow private fundraising organizations to enter into agreements with the Secretary of Interior to issue taxable capital development bonds. Bond revenues would then be used to finance park improvement projects. The bonds would be secured by an entrance fee surcharge of up to $2 per visitor at participating parks, or a set-aside of up to $2 per visitor from current entrance fees.

Our national park system has enormous capital needs—by last estimate, over $3 billion for high-priority projects such as improved transportation systems, trail repairs, visitor facilities, historic preservation, and the list goes on and on. The unfortunate reality is that even under the rosiest budget scenarios, our growing park needs far outstrip the resources currently available. Parks are still struggling to address enormous resource and infrastructure needs while seeking to improve the park experience to accommodate the increasing numbers of visitors to recreation sites.

Revenue bonding would take us a long way toward meeting our needs within the national park system. For example, based on current visitation rates at the Grand Canyon, a $2 surcharge would enable us to raise $100 million from a bond issue amortized

over 20 years. That is a significant amount of money which we could use to accomplish many critical park projects.

Let me emphasize, however, the Grand Canyon National Park would not be the only park eligible to benefit from this legislation. Any park unit with capital needs in excess of $5 million is eligible to participate. Among eligible parks, the Secretary of Interior will determine which may take part in the program.

I also want to stress that only projects approved as part of a park's general management plan can be funded through bond revenue. This proviso eliminates any concern that the revenue could be used for projects of questionable value to the park.

In addition, only organizations under agreement with the Secretary of Interior will be authorized to administer the bonding, so the Secretary can establish any rules or policies he deems necessary and appropriate.

Under no circumstances, however, would investors be able to attach liens against Federal property in the very unlikely event of default. The bonds will be secured only by the surcharge revenues.

Finally, the bill specifies that all professional standards apply and that the issues are subject to the same laws, rules, and regulatory enforcement procedures as any other bond issue.

The most obvious question raised by this legislation is: Will the bond markets support park improvement issues, guaranteed by an entrance surcharge? The answer is an emphatic yes. Bonding is a well-tested tool for the private sector. Additionally, Americans are eager to invest in our Nation's natural heritage, and with park visitation growing stronger, the risks appear minimal.

Are park visitors willing to pay a little more at the entrance gate if the money is used for park improvements? Again, I believe the answer is yes. Time and time again, visitors have expressed their support for increased fees provided that the revenue is used where collected and not diverted for some other purpose devised by Congress. The National Park Service conducted a survey last year which indicated that nearly 83 percent of participating respondents were satisfied with their paid fees, or thought the fees too low.

With the fee demonstration program currently being implemented at parks around the Nation, an additional $2 surcharge may not be necessary or appropriate at certain parks. Under the bill, those parks could choose to dedicate $2 per park visitor from current entrance fees toward a bond issue. The latest figures from the National Park Service indicate that revenues from fees doubled in 1998 to $180 million. This legislation can easily complement the recreational fee program to increase benefits to support our parks and increase the quality of America's park experience well into the future.

I look forward to working with my colleagues and National Parks supporters to ensure passage of this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 831

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''National Parks Capital Improvements Act of 1999''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. Fundraising organization.
Sec. 4. Memorandum of agreement.
Sec. 5. National park surcharge or set-aside.
Sec. 6. Use of bond proceeds.
Sec. 7. Administration.

SEC. 2. DEFINITIONS.

In this Act:

(1) FUNDRAISING ORGANIZATION.—The term ''fundraising organization'' means an entity authorized to act as a fundraising organization under section 3(a).

(2) MEMORANDUM OF AGREEMENT.—The term ''memorandum of agreement'' means a memorandum of agreement entered into by the Secretary under section 3(a) that contains the terms specified in section 4.

(3) NATIONAL PARK FOUNDATION.—The term ''National Park Foundation'' means the foundation established under the Act entitled ''An Act to establish the National Park Foundation'', approved December 18, 1967 (16 U.S.C. 19e et seq.).

(4) NATIONAL PARK.—The term ''national park'' means—

(A) the Grand Canyon National Park; and

(B) any other national park designated by the Secretary that has an approved general management plan with capital needs in excess of $5,000,000.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 3. FUNDRAISING ORGANIZATION.

(a) IN GENERAL.—The Secretary may enter into a memorandum of agreement under section 4 with an entity to act as an authorized fundraising organization for the benefit of a national park.

(b) BONDS.—The fundraising organization for a national park shall issue taxable bonds in return for the surcharge or set-aside for that national park collected under section 5.

(c) PROFESSIONAL STANDARDS.—The fundraising organization shall abide by all relevant professional standards regarding the issuance of securities and shall comply with all applicable Federal and State law.

(d) AUDIT.—The fundraising organization shall be subject to an audit by the Secretary.

(e) NO LIABILITY FOR BONDS.—The United States shall not be liable for the security of any bonds issued by the fundraising organization.

SEC. 4. MEMORANDUM OF AGREEMENT.

The fundraising organization shall enter into a memorandum of agreement that specifies—

(1) the amount of the bond issue;

(2) the maturity of the bonds, not to exceed 20 years;

(3) the per capita amount required to amortize the bond issue, provide for the reasonable costs of administration, and maintain a sufficient reserve consistent with industry standards;

(4) the project or projects at the national park that will be funded with the bond proceeds and the specific responsibilities of the Secretary and the fundraising organization with respect to each project; and

(5) procedures for modifications of the agreement with the consent of both parties based on changes in circumstances, including modifications relating to project priorities.

SEC. 5. NATIONAL PARK SURCHARGE OR SET-ASIDE.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may authorize the Superintendent of a national park for which a memorandum of agreement is in effect—

(1) to charge and collect a surcharge in an amount not to exceed $2 for each individual otherwise subject to an entrance fee for admission to the national park; or

(2) to set aside not more than $2 for each individual charged the entrance fee.

(b) SURCHARGE IN ADDITION TO ENTRANCE FEES.—A national park surcharge under subsection (a) shall be in addition to any entrance fee collected under—

(1) section 4 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–6a);

(2) the recreational fee demonstration program authorized by section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (as contained in Public Law 104–134; 110 Stat. 1321–156; 1321–200; 16 U.S.C. 460*l*–6a note); or

(3) the national park passport program established under title VI of the National Parks Omnibus Management Act of 1998 (Public Law 105–391; 112 Stat. 3518; 16 U.S.C. 5991 et seq.).

(c) LIMITATION.—The total amount charged or set aside under subsection (a) may not exceed $2 for each individual charged an entrance fee.

(d) USE.—A surcharge or set-aside under subsection (a) shall be used by the fundraising organization to—

(1) amortize the bond issue;

(2) provide for the reasonable costs of administration; and

(3) maintain a sufficient reserve consistent with industry standards, as determined by the bond underwriter.

(e) EXCESS FUNDS.—Any funds collected in excess of the amount necessary to fund the uses in subsection (d) shall be remitted to the National Park Foundation to be used for the benefit of all units of the National Park System.

SEC. 6. USE OF BOND PROCEEDS.

(a) ELIGIBLE PROJECTS.—

(1) IN GENERAL.—Subject to paragraph (2), bond proceeds under this Act may be used for a project for the design, construction, operation, maintenance, repair, or replacement of a facility in the national park for which the bond was issued.

(2) PROJECT LIMITATIONS.—A project referred to in paragraph (1) shall be consistent with—

(A) the laws governing the National Park System;

(B) any law governing the national park in which the project is to be completed; and

(C) the general management plan for the national park.

(3) PROHIBITION ON USE FOR ADMINISTRATION.—Other than interest as provided in subsection (b), no part of the bond proceeds may be used to defray administrative expenses.

(b) INTEREST ON BOND PROCEEDS.—

(1) AUTHORIZED USES.—Any interest earned on bond proceeds may be used by the fundraising organization to—

(A) meet reserve requirements; and

(B) defray reasonable administrative expenses incurred in connection with the management and sale of the bonds.

(2) EXCESS INTEREST.—All interest on bond proceeds not used for purposes of paragraph (1) shall be remitted to the National Park Foundation for the benefit of all units of the National Park System.

SEC. 7. ADMINISTRATION.

The Secretary, in consultation with the Secretary of Treasury, shall promulgate regulations to carry out this Act.

ADDITIONAL COSPONSORS

S. 13

At the request of Mr. SESSIONS, the name of the Senator from Texas [Mr. GRAMM] was added as a cosponsor of S. 13, a bill to amend the Internal Revenue Code of 1986 to provide additional tax incentives for education.

S. 14

At the request of Mr. COVERDELL, the names of the Senator from Wyoming [Mr. THOMAS], the Senator from South Carolina [Mr. THURMOND], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Kansas [Mr. BROWNBACK], the Senator from Oklahoma [Mr. INHOFE], the Senator from Arkansas [Mr. HUTCHINSON], the Senator from Colorado [Mr. ALLARD], the Senator from Ohio [Mr. DEWINE], and the Senator from New Hampshire [Mr. SMITH] were added as cosponsors of S. 14, a bill to amend the Internal Revenue Code of 1986 to expand the use of education individual retirement accounts, and for other purposes.

S. 51

At the request of Mr. BIDEN, the names of the Senator from West Virginia [Mr. BYRD], and the Senator from Georgia [Mr. CLELAND] were added as cosponsors of S. 51, a bill to reauthorize the Federal programs to prevent violence against women, and for other purposes.

S. 162

At the request of Mr. BREAUX, the name of the Senator from Kansas [Mr. BROWNBACK] was added as a cosponsor of S. 162, a bill to amend the Internal Revenue Code of 1986 to change the determination of the 50,000-barrel refinery limitation on oil depletion deduction from a daily basis to an annual average daily basis.

S. 172

At the request of Mr. MOYNIHAN, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 172, a bill to reduce acid deposition under the Clean Air Act, and for other purposes.

S. 210

At the request of Mr. MOYNIHAN, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 210, a bill to establish a medical education trust fund, and for other purposes.

S. 242

At the request of Mr. JOHNSON, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 242, a bill to amend the Federal Meat Inspection Act to require the labeling of imported meat and meat food products.

S. 296

At the request of Mr. FRIST, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 296, a bill to provide for continuation of the Federal research investment in a fiscally sustainable way, and for other purposes.

S. 317

At the request of Mr. DORGAN, the name of the Senator from Georgia [Mr. COVERDELL] was added as a cosponsor of S. 317, a bill to amend the Internal Revenue Code of 1986 to provide an exclusion for gain from the sale of farmland which is similar to the exclusion from gain on the sale of a principal residence.

S. 333

At the request of Mr. LEAHY, the name of the Senator from Virginia [Mr. ROBB] was added as a cosponsor of S. 333, a bill to amend the Federal Agriculture Improvement and Reform Act of 1996 to improve the farmland protection program.

S. 417

At the request of Mr. MOYNIHAN, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 417, a bill to amend title 28 of the United States Code to bar any civil trial involving the President until after the President vacates office, but to allow for sealed discovery during the time the President is in office.

S. 472

At the request of Mr. GRASSLEY, the name of the Senator from Kentucky [Mr. BUNNING] was added as a cosponsor of S. 472, a bill to amend title XVIII of the Social Security Act to provide certain medicare beneficiaries with an exemption to the financial limitations imposed on physical, speech-language pathology, and occupational therapy services under part B of the medicare program, and for other purposes.

S. 487

At the request of Mr. GRAMS, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 487, a bill to amend the Internal Revenue Code of 1986 to provide additional retirement savings opportunities for small employers, including self-employed individuals.

S. 511

At the request of Mr. MCCAIN, the name of the Senator from Nebraska [Mr. HAGEL] was added as a cosponsor of S. 511, a bill to amend the Voting Accessibility for the Elderly and Handicapped Act to ensure the equal right of individuals with disabilities to vote, and for other purposes.

S. 514

At the request of Mr. COCHRAN, the names of the Senator from Mississippi [Mr. LOTT], the Senator from Kentucky [Mr. BUNNING], the Senator from North Dakota [Mr. CONRAD], the Senator from South Dakota [Mr. DASCHLE], and the Senator from Delaware [Mr. ROTH] were added as cosponsors of S. 514, a bill to improve the National Writing Project.

S. 531

At the request of Mr. ABRAHAM, the names of the Senator from Virginia [Mr. WARNER], the Senator from Arizona [Mr. MCCAIN], the the Senator from Hawaii [Mr. INOUYE], the Senator from Nebraska [Mr. KERREY], and the Senator from New Hampshire [Mr. GREGG] were added as cosponsors of S. 531, a bill to authorize the President to award a gold medal on behalf of the Congress to Rosa Parks in recognition of her contributions to the Nation.

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 531, supra.

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 531, supra.

S. 542

At the request of Mr. ABRAHAM, the name of the Senator from Oregon [Mr. SMITH] was added as a cosponsor of S. 542, a bill to amend the Internal Revenue Code of 1986 to expand the deduction for computer donations to schools and allow a tax credit for donated computers.

S. 562

At the request of Mr. HARKIN, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 562, a bill to provide for a comprehensive, coordinated effort to combat methamphetamine abuse, and for other purposes.

S. 590

At the request of Mr. FEINGOLD, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 590, a bill to amend the Internal Revenue Code of 1986 to repeal the percentage depletion allowance for certain hardrock mines, and for other purposes.

S. 597

At the request of Mr. SMITH, the names of the Senator from Nebraska [Mr. HAGEL], the Senator from Maine [Ms. COLLINS], the Senator from Wyoming [Mr. THOMAS], and the Senator from Texas [Mr. GRAMM] were added as cosponsors of S. 597, a bill to amend section 922 of chapter 44 of title 28, United States Code, to protect the right of citizens under the Second Amendment to the Constitution of the United States.

S. 632

At the request of Mr. DEWINE, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 632, a bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

S. 635

At the request of Mr. MACK, the name of the Senator from Colorado [Mr. ALLARD] was added as a cosponsor of S. 635, a bill to amend the Internal Revenue Code of 1986 to more accurately codify the depreciable life of printed wiring board and printed wiring assembly equipment.

S. 648

At the request of Mr. KERRY, the name of the Senator from California

[Mrs. BOXER] was added as a cosponsor of S. 648, a bill to provide for the protection of employees providing air safety information.

S. 664

At the request of Mr. CHAFEE, the name of the Senator from Kentucky [Mr. BUNNING] was added as a cosponsor of S. 664, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence.

S. 669

At the request of Mr. COVERDELL, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor of S. 669, a bill to amend the Federal Water Pollution Control Act to ensure compliance by Federal facilities with pollution control requirements.

S. 692

At the request of Mr. KYL, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 692, a bill to prohibit Internet gambling, and for other purposes.

S. 703

At the request of Mr. SMITH, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 703, a bill to amend section 922 of chapter 44 of title 18, United States Code.

S. 704

At the request of Mr. KYL, the names of the Senator from North Carolina [Mr. HELMS], and the Senator from South Dakota [Mr. DASCHLE] were added as cosponsors of S. 704, a bill to amend title 18, United States Code, to combat the overutilization of prison health care services and control rising prisoner health care costs.

S. 707

At the request of Mr. GRASSLEY, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 707, a bill to amend the Older Americans Act of 1965 to establish a national family caregiver support program, and for other purposes.

S. 721

At the request of Mr. GRASSLEY, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 721, a bill to allow media coverage of court proceedings.

S. 734

At the request of Mr. MURKOWSKI, the names of the Senator from Virginia [Mr. ROBB], the Senator from Indiana [Mr. LUGAR], and the Senator from Delaware [Mr. BIDEN] were added as cosponsors of S. 734, a bill entitled the ''National Discovery Trails Act of 1999.''

S. 745

At the request of Mr. ABRAHAM, the names of the Senator from Nebraska [Mr. HAGEL], and the Senator from Illinois [Mr. DURBIN] were added as cosponsors of S. 745, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to modify the requirements for implementation of an entry-exit control system.

S. 763

At the request of Mr. THURMOND, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 763, a bill to amend title 10, United States Code, to increase the minimum Survivor Benefit Plan basic annuity for surviving spouses age 62 and older, and for other purposes.

S. 764

At the request of Mr. THURMOND, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 764, a bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes.

S. 795

At the request of Mr. MCCAIN, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. 795, a bill to amend the Fastener Quality Act to strengthen the protection against the sale of mismarked, misrepresented, and counterfeit fasteners and eliminate unnecessary requirements, and for other purposes.

S. 796

At the request of Mr. DOMENICI, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 796, a bill to provide for full parity with respect to health insurance coverage for certain severe biologically-based mental illnesses and to prohibit limits on the number of mental illness-related hospital days and outpatient visits that are covered for all mental illnesses.

S. 810

At the request of Mr. JEFFORDS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 810, a bill to amend the Internal Revenue Code of 1986 to expand alternatives for families with children, to establish incentives to improve the quality and supply of child care, to increase the availability and affordability of professional development for child care providers, to expand youth development opportunities, to ensure the safety of children placed in child care centers in Federal facilities, to ensure adequate child care subsidies for low-income working families, and for other purposes.

S. 811

At the request of Mr. JEFFORDS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 811, a bill to amend the Internal Revenue Code of 1986 to expand alternatives for families with children, to establish incentives to improve the quality and supply of child care, and for other purposes.

S. 812

At the request of Mr. JEFFORDS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 812, a bill to provide for the construction and renovation of child care facilities, and for other purposes.

S. 813

At the request of Mr. JEFFORDS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 813, a bill to ensure the safety of children placed in child care centers in Federal facilities, and for other purposes.

S. 814

At the request of Mr. JEFFORDS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 814, a bill to establish incentives to improve the quality and supply of child care providers, to expand youth development opportunities, to ensure adequate child care subsidies for low-income working families, and for other purposes.

S. 821

At the request of Mr. ROBB, his name was added as a cosponsor of S. 821, a bill to provide for the collection of data on traffic stops.

SENATE JOINT RESOLUTION 3

At the request of Mr. KYL, the names of the Senator from Alaska (Mr. MURKOWSKI) and the Senator from Kentucky (Mr. BUNNING) were added as cosponsors of Senate Joint Resolution 3, a joint resolution proposing an amendment to the Constitution of the United States to protect the rights of crime victims.

SENATE CONCURRENT RESOLUTION 22

At the request of Mr. GRASSLEY, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of Senate Concurrent Resolution 22, a concurrent resolution expressing the sense of the Congress with respect to promoting coverage of individuals under long-term care insurance.

SENATE CONCURRENT RESOLUTION 25

At the request of Mr. JEFFORDS, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of Senate Concurrent Resolution 25, a concurrent resolution urging the Congress and the President to fully fund the Federal Government's obligation under the Individuals with Disabilities Education Act.

SENATE RESOLUTION 22

At the request of Mr. CAMPBELL, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of Senate Resolution 22, a resolution commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives serving as law enforcement officers.

SENATE RESOLUTION 29

At the request of Mr. ROBB, the names of the Senator from Nebraska (Mr. HAGEL), the Senator from North Carolina (Mr. EDWARDS), the Senator from Wisconsin (Mr. FEINGOLD), and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of Senate Resolution 29, a resolution to designate the week of May 2, 1999, as

''National Correctional Officers and Employees Week.''

SENATE RESOLUTION 33

At the request of Mr. MCCAIN, the names of the Senator from California (Mrs. FEINSTEIN), and the Senator from California (Mrs. BOXER) were added as cosponsors of Senate Resolution 33, a resolution designating May 1999 as ''National Military Appreciation Month.''

SENATE RESOLUTION 34

At the request of Mr. TORRICELLI, the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Louisiana (Mr. BREAUX), the Senator from Colorado (Mr. CAMPBELL), and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of Senate Resolution 34, a resolution designating the week beginning April 30, 1999, as ''National Youth Fitness Week.''

SENATE RESOLUTION 59

At the request of Mr. LAUTENBERG, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of Senate Resolution 59, a bill designating both July 2, 1999, and July 2, 2000, as ''National Literacy Day.''

SENATE CONCURRENT RESOLUTION 27—ESTABLISHING THE POLICY OF THE UNITED STATES TOWARD NATO'S WASHINGTON SUMMIT

Mr. LUGAR (for himself, Mr. ROTH, Mr. LOTT, Mr. LIEBERMAN, Mr. DEWINE, Mr. VOINOVICH, and Mr. HAGEL) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 27

Whereas the North Atlantic Treaty Organization (NATO) will celebrate its fiftieth anniversary at a historic summit meeting in Washington, D.C., commencing on April 23, 1999;

Whereas NATO, the only military alliance with both real defense capabilities and a transatlantic membership, has successfully defended the territory and interest of its members over the last 50 years, prevailed in the Cold War, and contributed to the spread of freedom, democracy, stability, and peace throughout Europe;

Whereas NATO remains a vital national security interest of the United States;

Whereas NATO is currently conducting military operations against the Federal Republic of Yugoslavia (Serbia and Montenegro) to further the objective of a lasting peace in Kosovo;

Whereas NATO enhances the security of the United States by embedding European states in a process of cooperative security planning, by preventing the destabilizing renationalization of European military policies, and by ensuring an ongoing and direct leadership role for the United States in European security affairs;

Whereas the enlargement of NATO, a defensive alliance, threatens no nation and reinforces peace and stability in Europe, and provides benefits to all nations;

Whereas Article 10 of the North Atlantic Treaty states that ''any other European state in a position to further the principles of this Treaty and to contribute to the security of the North Atlantic area'' is eligible to be granted NATO membership;

Whereas the July 1998 communique of the NATO Summit in Madrid reaffirmed that ''NATO remains open to new members under Article X of the North Atlantic Treaty'' and stated that ''the Alliance expects to extend further invitations in coming years to nations willing and able to assume the responsibilities and obligations of membership'';

Whereas the accession to NATO by Poland, the Czech Republic, and Hungary will strengthen the military capabilities of NATO, enhance security and stability in Central and Eastern Europe, and thereby advance the interests of the United States and NATO;

Whereas Congress has repeatedly endorsed the enlargement of NATO with bipartisan majorities;

Whereas the NATO Parliamentary Assembly, a multinational body composed of delegations from the member states of the North Atlantic Treaty, has called for NATO to welcome new members through the adoption of Resolution 283 of 1998, entitled ''Recasting Euro-Atlantic Security: Towards the Washington Summit'';

Whereas additional democracies of Central and Eastern Europe have applied for NATO membership;

Whereas the enlargement of NATO must be a careful, deliberate process with consideration of all security interests;

Whereas the selection of new members should depend on NATO's strategic interests, potential threats to security and stability, and actions taken by prospective members to complete the transition to democracy and to harmonize policies with NATO's political, economic, and military guidelines established by the 1995 NATO Study on Enlargement;

Whereas NATO must consider and debate the qualifications and potential ramifications of new members on a country-by-country basis;

Whereas the accession of Poland, the Czech Republic, and Hungary to NATO is an important step in the post-Cold War era toward a Europe that is truly whole, undivided, free, and at peace and must be complemented by the extension of NATO membership to other qualified democracies of Central and Eastern Europe;

Whereas extending NATO membership to other qualified democracies will strengthen NATO, enhance security and stability, deter potential aggressors, and thereby advance the interests of the United States and its NATO allies;

Whereas, because participation in missions under Article 4 of the North Atlantic Treaty is not obligatory and each NATO member is free to make an independent decision regarding participation in those missions, the United States and other NATO members are able to decide on the basis of their interests and an independent assessment of the situation whether to participate;

Whereas NATO's continued success requires a credible military capability to deter and respond to common threats;

Whereas, building on its core capabilities for collective self-defense of its members, NATO will ensure that its military force structure, defense planning, command structures, and force goals promote NATO's capacity to project power when the security of a NATO member is threatened, and provide a basis for ad hoc coalitions of willing partners among NATO members;

Whereas the members of NATO face new threats, including conflict in the North Atlantic area stemming from historic, ethnic, and religious enmities, the potential for the reemergence of a hegemonic power confronting Europe, rogue states and nonstate actors possessing weapons of mass destruction, and threats to the wider interests of the NATO members (including the disruption of the flow of vital resources);

Whereas this will require that NATO members possess national military capabilities to rapidly deploy forces over long distances, sustain operations for extended periods of time, and operate jointly with the United States in high intensity conflicts; and

Whereas the principal effect of upgraded capabilities for NATO members to operate ''out of area'' with force improvements for power projection will be to make NATO members more effective American partners in supporting mutual interests around the globe: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That (a) Congress—

(1) regards the political independence and territorial integrity of the emerging democracies in Central and Eastern Europe as vital to European peace and security and, thus, to the interests of the United States;

(2) endorses the commitment of the North Atlantic Council that NATO will remain open to the accession of further members in accordance with Article 10 of the North Atlantic Treaty;

(3) believes all NATO members should commit to improving their respective defense capabilities so that NATO can project power decisively within and outside NATO borders in a manner that achieves transatlantic parity in power projection capabilities and facilitates equitable burdensharing among NATO members; and

(4) believes that NATO should prepare more vigorously to defend itself against future threats and to expand its primary defensive focus beyond its previous concentration on threats to the east.

(b) It is the sense of Congress that—

(1) the North Atlantic Council should pace, not pause, the process of NATO enlargement by extending the invitation of membership to those states able to meet the guidelines established by the 1995 NATO Study on Enlargement and should do so on a country-by-country basis;

(2) the North Atlantic Council in the course of the 1999 Washington Summit should initiate a formal review of all pending applications for NATO membership in order to establish the degree to which such applications conform to the guidelines for membership established by the 1995 NATO Study on Enlargement;

(3) the results of this formal review should be presented to the membership of the North Atlantic Council in May 2000 with recommendations concerning enlargement;

(4) NATO should continue to assess potential applicants for NATO membership on a continuous basis; and

(5) the President, the Secretary of State, and the Secretary of Defense should fully use their offices to encourage the NATO allies of the United States to commit the resources necessary to upgrade their capabilities to rapidly deploy forces over long distances, sustain operations for extended periods of time, and operate jointly with the United States in high intensity conflicts, thus making them effective American partners in supporting mutual interests.

SEC. 2. DEFINITIONS.

In this concurrent resolution:

(1) DEMOCRACIES OF CENTRAL AND EASTERN EUROPE.—The term ''democracies of Central and Eastern Europe'' means those nations that have applied or have registered their intent to apply for membership in NATO, including Albania, Bulgaria, Estonia, Macedonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia.

(2) NATO.—The term ''NATO'' means those nations that are parties to the North Atlantic Treaty.

(3) NATO MEMBER.—The term ''NATO member'' means any country that is a party to the North Atlantic Treaty.

(4) NORTH ATLANTIC TREATY.—The term ''North Atlantic Treaty'' means the North Atlantic Treaty, signed at Washington on April 4, 1949 (63 Stat. 2241; TIAS 1964).

NATO SUMMIT

● Mr. LUGAR. Mr. President, later this week NATO will honor its 50th anniversary at a Summit here in Washington, D.C. The leaders of the 19 NATO member nations and the heads of state of many Partnership-for-Peace participants will participate in meetings to discuss the successes of the NATO Alliance and its future in the post-Cold War world.

The more distant we become from the days of the fall of the Berlin Wall and the collapse of communism, the clearer it becomes that we have entered a new era. But dangers still abound in post-Cold War Europe. The ongoing conflict in Kosovo is a stark reminder that threats to the security of NATO's members still exist. The revolutions of 1989 not only led to the collapse of communism but also to the end of the peace orders established after two world wars. What is at stake today is order and stability in Europe as a whole. And that is why American interests are involved.

Mr. President, NATO cannot by itself solve all of Europe's problems. But without a stable security framework, we run the risk that reform and democracy in Eastern Europe will not persist but will instead be undercut by destructive forces of nationalism and insecurity. The failure of democracy in the East could not help but have profound consequences for democracy in the continent's western half as well.

The resolution that I submit today on behalf of Senators ROTH, LOTT, LIEBERMAN, DEWINE, VOINOVICH, and HAGEL sets forth three goals for the United States to achieve in discussions over the future of the NATO Alliance: (1) the enforcement of Article 10 of the Washington Treaty to remain open to the accession of additional members and a formal review of all applications for memberships; (2) expansion of the primary focus beyond threats from the east; and (3) the upgrading of our allies' ability to project power and to operate ''out of area.''

NATO's ''open door'' policy toward new members established by Article 10 of the Washington Treaty, has given countries of Central and Eastern Europe the incentive to accelerate reforms, to peacefully settle disputes with neighbors, and to increase regional cooperation. Hopes of future membership in NATO has been a tremendous driving force of democratization and peace in Eastern and Central Europe including former Warsaw Pact nations.

To retract the ''open-door'' policy, as some have suggested, would risk undermining the tremendous gains that have been made across the region. The result of a ''closed-door'' policy would be the creation of new dividing lines across Europe. Those nations outside might become disillusioned and insecure and thus inclined to adopt the competitive and destabilizing security policies of Europe's past.

NATO's decision to enlarge in stages recognizes that not all new democracies and applicants in Europe are equally ready or willing to be security allies. Some states may never be ready.

The selection of future NATO members should depend on: (1) a determination by NATO members of their strategic interests; (2) NATO's perception of threats to security and stability; and (3) actions taken by prospective members to complete their democratic transitions and to harmonize their policies with NATO's political aims and security policies.

To reinforce the benefits of Article X, I believe a comprehensive review of the qualifications of the nine current applicant countries should be conducted under the guidelines laid out in the 1995 NATO Study on Enlargement. A review of this type would further demonstrate that NATO is actively considering a continuation of the enlargement process. Some believe that the Alliance is not interested in further enlargement; a formal review of the type I am suggesting would go far in reassuring NATO and non-NATO states of the Alliance's plans. Furthermore, a review would provide NATO aspirants with additional incentive to continue democratic, economic and military reforms. This is in the national security interests of the United States and NATO and should be encouraged.

These actions would also serve to clarify the security expectations of non-NATO members. It would make clear that it is the intention of the United States that NATO remain a serious defensive military alliance and not slip into a loose collective security society. It would suggest that enlargement will be a careful, deliberate process, with consideration of all security interests. Finally, it would draw again on the principle of reciprocity, both to encourage prospective members to align themselves with NATO's values and policies and to signal that threats levied against would-be members will be counterproductive.

A second goal enunciated in this resolution concerns the need to broaden NATO's focus. For nearly 50 years, NATO was oriented and organized to defend and respond to an attack from the East. An invasion by Soviet and Warsaw Pact forces was the primary threat facing the Alliance. Since the collapse of the Soviet Union, new threats have replaced the nightmare of Soviet armored divisions crashing through the Fulda Gap. The proliferation of weapons of mass destruction, rogue states, terrorism, ethnic strife, and other potentially destabilizing elements now threaten the Alliance.

It is a basic American interest that the Alliance not only enlarge to help stabilize Eastern Europe but that enlargement be part and parcel of a broader transformation that turns Europe into an increasingly effective strategic partner of the United States in and beyond the continent.

I believe this includes an improvement in the ability for NATO to operate outside the borders of its members. This is not a new mission. The potential for these types of endeavors has been present since NATO's inception. The true core of NATO has always been collective defense, but Article 4 of the Washington Treaty suggests that NATO will consult and can act if the security of any of the Parties is threatened. This interpretation was reinforced by John Foster Dulles in May 1949 during Senate consideration of the Washington Treaty. Secretary of State Dulles testified that the occasions for consultation under Article 4 are not merely attacks in the Atlantic area dealt with by Article 5, but threats anywhere to any of the parties since the parties have interests and possessions throughout the world. So we are not talking about new NATO responsibilities; these types of actions were considered by the members of the Alliance and are supported by language in the treaty ratified by the Senate in 1949.

It is important to remember that participation in non-Article 5 missions is not obligatory and each NATO member is free to make an independent decision regarding participation in those missions. The United States and other NATO members are able to decide on the basis of their interests and an independent assessment of the situation whether to participate. This is as it should be.

A third goal set forth in this resolution deals with NATO members' capabilities. The collapse of the Soviet Union and the Warsaw Pact have altered the strategic and military landscape in which NATO forces will operate in the future. The potential for massive tank battles over the plains of Central Europe has been reduced. Instead military strategists believe the conflicts of the 21st century will require NATO members to rapidly deploy forces over long distances, sustain operations for extended periods of time and operate jointly with the United States in high intensity conflicts.

NATO developed a truly credible capability to defend itself from threats emanating from Central Europe and the former Soviet Union. But our allies have not moved far enough or fast enough to improve their capabilities to defend against newly emerging threats. In many cases these threats cannot be readily distinguished as either Article 5 or Article 4.

Today NATO faces threats to its southern borders and forces. For example, Turkey's borders are directly threatened by rogue states to its south. NATO has a credible plan to reinforce Turkey in the event of hostilities. Unfortunately, this plan relies heavily on

U.S. forces. If the U.S. were unable to provide the military apparatus necessary to implement this plan because of its involvement in operations elsewhere, the reinforcement blueprint would be in jeopardy. European forces lack serious power projection capabilities for demanding Article 5 missions, in addition to the potential for meeting Article 4 contingencies.

We must maintain and improve NATO's military force capability to respond to all conceivable missions. Our goal must be to enlarge NATO by enhancing NATO's strategic strength and military effectiveness. The need for improved European power projection capability becomes self-evident when one considers that the U.S. currently contributes only about 20% of NATO's total conventional forces, but provides about 80% of NATO's usable military capability for power projection missions.

We must reconfigure NATO to deal with the threats of the 21st century by requiring improved allied power projection forces for operating in a seamless web of situations including within NATO's enlarging borders, inside Europe including on its periphery, and outside Europe when the Alliance's vital interests are at stake.

The U.S. Government must demand rough trans-Atlantic parity in power projection capabilities and we must not settle for less. NATO is the only institution capable of building these necessary force structures. NATO's 50th Anniversary provides an opportunity for the Administration to press our European allies on these issues and call for a more equitable burden-sharing arrangement in power projection capabilities.

Mr. President, it is clear that the Summit cannot proceed with the agenda that was envisioned prior to the commencement of military operations in Kosovo. However, it does provide the United States with an opportunity to raise the key issues that will determine the ability of NATO to serve as the premiere U.S. and European security architecture for the 21st century. That is the primary reason we have set forth these major Alliance goals in our resolution.

Some of my colleagues have suggested that, because of Kosovo, we should delay or postpone these important discussions. I do not agree. The Alliance must revise NATO's Strategic Concept and military structure to make NATO both more politically and militarily relevant to post-Cold War security issues. This is an outstanding opportunity to ensure that NATO continues to meet the security needs of all of its members states, including the U.S. A pause or delay will simply postpone necessary revisions to the current Strategic Concept, a concept that was adopted in 1990 while the Soviet Union was still in existence.

We must move ahead. The Alliance must not allow Serbian President Milosevic to derail NATO's important work. It is my hope that the Administration will be able to work with our Allies to produce a Strategic Concept able to meet the security needs of the U.S. and our allies in the 21st century. That should be our primary objective of the Summit; that is the primary objective of this Resolution.●

● Mr. ROTH. Mr. President, I wish to briefly comment on the resolution that my colleague from Indiana and I, the majority leader, and others have just introduced.

This weekend the NATO Alliance will hold a summit meeting here in Washington. That summit will be dominated by the conflict in Kosovo, and that is to be expected as so much is at stake.

Should the Alliance emerge defeated from this conflict, it would signal that dictatorship and atrocity can lead to political survival in post-Cold War Europe. NATO's defeat by a bloody regime that controls no more territory than the state of Kentucky would signal NATO's irrelevance. It would mark the decay of the transatlantic order of democracy, human rights, and security that NATO spent the last five decades defending and promoting.

For these grave reasons, the Kosovo crisis underscores how vital NATO is today to the values and interests we share with our European allies. At stake in this conflict is more than Balkan peace and stability, but also the prospects of a transatlantic partnership based on a Europe that is undivided, democratic, and secure.

However significant and immediate the Kosovo issue may be, NATO's leaders cannot allow it to obscure two other critical issues that will significantly shape NATO's future as the cornerstone of Euro-Atlantic security. These are the revisions to NATO's Strategic Concept the Alliance intends to codify at this summit and the next phase of NATO enlargement.

Mr. President, NATO's Strategic Concept is a public document that defines the threats and opportunities that lie before the Alliance's interests and values. It defines the political and military roles and missions the Alliance must undertake to protect and promote those interests and values. From this important document are derived the resources Alliance members commit to the implementation of this strategy. It is a critically important document, one whose revision must be taken with great care.

Two Strategic Concept issues that right now appear unresolved prior to this summit and that should be of great concern to us are NATO's relationship with the United Nations and the future of the European Security and Defense Identity (ESDI).

There are still today Allies who wish to require NATO to attain a UN or a OSCE mandate prior to undertaking out-of-area military actions. I cannot think of a more destructive poison pill for the Alliance. A UN mandate would give non-NATO countries, such as Russia and China, a veto over Alliance decisions. We must not forget that NATO was established in 1949 to overcome the inability of the United Nations to act decisively in the face of danger, threats, and conflagration. We need only to look back to the UN's role in the former Yugoslavia this decide to be reminded of the grave limitations of this institution. If there is one thing that new Strategic Concept must not do, it is to constrict NATO freedom to act by subjecting it to the decisions of other organizations. NATO must preserve its freedom to act.

Second, the Alliance's new Strategic Concept must continue the process toward a viable ESDI within the framework of the Washington Treaty. Allied leaders should focus on developing better European military capabilities within NATO. The resolution we introduce today underscores this point by calling upon our European Allies to acquire better capability to ''rapidly deploy forces over long distances, sustain operations for extended periods of time and operate jointly with the United States in high intensity conflicts.'' The Alliance must not only be able to project power decisively within and outside NATO borders; it must be able to do so in a manner that features transatlantic parity in power projection capabilities.

Mr. President, let me add one more point on this matter. Over the last half decade NATO has restructured its command structure to afford it greater operational flexibility. The establishment of Combined Joint Task Forces (CJTF), one of the most important reforms, will enable European Allies to utilize Alliance assets for operations of a distincity European character. Europe's key to maximizing the potential of these reforms is the development of better military capabilities. It is through capability—not rhetoric—that our Allies can put a final end to the often acrimonious debates over burden-sharing, and at the same time allow them to more effectively address security challenges of distincity European concern.

Finally, Mr. President, the issue of NATO enlargement. How the Washington Summit manages the next phase of enlargement will determine whether this meeting strengthens or undermines the dream for a Europe that is free, secure, and undivided. If the process of NATO enlargement is clearly advanced, the summit will reinforce the prospects for enduring peace and stability in post-Cold War Europe.

Article Ten of the Washington Treaty, which established the NATO Alliance in 1949, articulates the Alliance's vision of a united Europe. It states that NATO is open to ''any other European state in a position to further the principles of this Treaty and to contribute to the security of the North Atlantic area.'' In 1995 the Alliance defined through its Study on Enlargement the political, military, and foreign policy guidelines to direct enlargement in the post-Cold War era.

These include a commitment to democracy, the resolution of disputes with neighbors, and the ability to contribute to the Alliance's roles and missions, including collective defense.

Based on these guidelines, Poland, the Czech Republic, and Hungary were invited to join the Alliance. Their accession on March 12 strengthened the Alliance and marked the first step in the elimination of the divisive and destablizing vestiges, not only of the Cold War, but of the era preceding World War II.

The Washington Summit must not only celebrate the first round of NATO enlargement, it must decisively press the process forward. Toward that end, I believe that NATO should invite Solvenia and any other qualified NATO European applicant to accession negotiations. Recently, at my request, the Congressional Research Service examined the nine European states that have applied for NATO membership. This study clearly revealed that Slovenia not only meets NATO's own guidelines, it surpasses some of the economic and military standards set by the Alliance's three newest members.

An invitation to Slovenia would demonstrate to the other democracies of Central Europe that NATO remains genuinely committed to its ''Open Door Policy''—proof that would reinforce their commitment to democratic and economic reform and the Alliance's Partnership for Peace program.

Above all, it would help ensure that enlargement becomes a continuous, not a convulsive, process. The momentum generated by the first round of enlargement would be sustained. In contrast, if enlargement is subject to pauses of undefined and indefinite duration, each succeeding round will be more difficult to initiate and complete. Enlargement would less likely be seen and appreciated as a normal dynamic of post-Cold War Europe.

In the absence of new invitations at the Summit, it will be a challenge for NATO to sustain the credibility of its Open Door Policy. The Alliance must not step back to the theme of its 1994 Summit in Brussels: ''NATO enlargement is not a matter of if, but when.'' This April, such an open-ended ''when'' would ring especially hollow.

For this reason, NATO cannot simply retierate longstanding promises; it must yield a process. Herein lies an important recommendation presented by our resolution on the issue of NATO enlargement.

It calls upon Alliance leaders to instruct the NATO International Staff to conduct a comprehensive and transparent review of the nine applicant countries in terms of the guidelines articulated in its 1995 study. (Such a review should not be confused with discrete annual reviews currently being considered for each applicant.) This comprehensive review should be presented, with recommendations, to a North Atlantic Council meeting of ministers or heads of state no later than May 2000.

While this review should complement new NATO invitations, even standing alone it offers the following advantages:

The Alliance would demonstrate that it is actively engaged in an ongoing enlargement process. It would deflect suspicions that the Alliance is camouflaging its unwillingness for further enlargement behind the generosity of more financial and material assistance. A review is more than words, it is action.

A review would not bind the Alliance to ''automaticity'' in that it does not commit the Alliance to issue new invitations in 2000. The review would, however, probably highlight the fact that one or more applicant countries have met the grade.

It would underscore that NATO stands by the guidelines established in the 1995 Study on Enlargement. That would encourage the applicant states to continue, if not accelerate, the democratic, military, and economic reforms and regional cooperation requisite for NATO membership.

NATO enlargement must also be a central component of NATO's new Strategic Concept, the document that will define the Alliance's roles and missions for the next century. It inclusion will not only communicate commitment, it will help institutionalize enlargement as a planning priority of the Alliance.

NATO enlargement is not an act of altruism; it is an act of self-interest. It is a process motivated by the dream of an undivided Europe, the stability that would come to the Euro-Atlantic community, and the capabilities new members would yield the Alliance. It is a policy guided by objective political, economic and military criteria.

Each of these enlargement steps outlined above, an invitation to Slovenia, a comprehensive review process, and an emphasis in the Alliance's game plan for the future, will ensure that the Washington Summit is remembered for revitalizing the dream of a Europe, whole, free, and undivided.

Mr. President, history will judge this week's NATO Summit not only for how it handles the crisis in Kovoso, but also for the strategy that it lays out for its future. Kosovo, the new Strategic Concept, and enlargement present a challenging agenda at a very trying time. Yet, I remain confident this Alliance has the potential to address each of these issues in a manner that will ensure that NATO becomes an even more capable and effective promoter of a transatlantic partnership that features a strong, undivided and democratic Europe. It is toward this vision that we introduce this resolution, and I urge my colleagues to lend their support.●

AMENDMENTS SUBMITTED

WATER RESOURCES DEVELOPMENT ACT OF 1999

CHAFEE AMENDMENT NO. 253

Mr. CRAIG (for Mr. CHAFEE) proposed an amendment to the bill (S. 507) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; as follows:

On page 135, strike lines 4 through 11 and insert the following:

(18) BALTIMORE HARBOR ANCHORAGES AND CHANNELS, MARYLAND AND VIRGINIA.—

(A) IN GENERAL.—The project for navigation, Baltimore Harbor Anchorages and Channels, Maryland and Virginia, Report of the Chief of Engineers dated June 8, 1998, at a total cost of $28,426,000, with an estimated Federal cost of $18,994,000 and an estimated non-Federal cost of $9,432,000.

(B) CREDIT OR REIMBURSEMENT.—If a project cooperation agreement is entered into, the non-Federal interest shall receive credit or reimbursement of the Federal share of project costs for construction work performed by the non-Federal interest before execution of the project cooperation agreement if the Secretary finds the work to be integral to the project.

(C) STUDY OF MODIFICATIONS.—During the preconstruction engineering and design phase of the project, the Secretary shall conduct a study to determine the feasibility of undertaking further modifications to the Dundalk Marine Terminal access channels, consisting of—

(i) deepening and widening the Dundalk access channels to a depth of 50 feet and a width of 500 feet;

(ii) widening the flares of the access channels; and

(iii) providing a new flare on the west side of the entrance to the east access channel.

(D) REPORT.—

(i) IN GENERAL.—Not later than March 1, 2000, the Secretary shall submit to Congress a report on the study under subparagraph (C).

(ii) CONTENTS.—The report shall include a determination of—

(I) the feasibility of performing the project modifications described in subparagraph (C); and

(II) the appropriateness of crediting or reimbursing the Federal share of the cost of the work performed by the non-Federal interest on the project modifications.

On page 137, after line 25, add the following:

(3) ARROYO PASAJERO, CALIFORNIA..—The project for flood damage reduction, Arroyo Pasajero, California, at a total cost of $260,700,000, with an estimated first Federal cost of $170,100,000 and an estimated first non-Federal cost of $90,600,000.

On page 138, line 1, strike ''(3)'' and insert ''(4)''.

On page 138, line 7, strike ''(4)'' and insert ''(5)''.

On page 138, between lines 17 and 18, insert the following:

(6) SUCCESS DAM, TULE RIVER BASIN, CALIFORNIA.—The project for flood damage reduction and water supply, Success Dam, Tule River basin, California, at a total cost of $17,900,000, with an estimated first Federal cost of $11,635,000 and an estimated first non-Federal cost of $6,265,000.

On page 138, line 18, strike ''(5)'' and insert ''(7)''.

On page 139, line 10, strike ''(6)'' and insert ''(8)''.

On page 140, line 1, strike ''(7)'' and insert ''(9)''.

On page 140, line 6, strike ''(8)'' and insert ''(10)''.

On page 140, line 13, strike ''(9)'' and insert ''(11)''.

On page 140, line 19, strike ''(10)'' and insert ''(12)''.

On page 142, line 11, strike ''(11)'' and insert ''(13)''.

On page 142, line 18, strike ''(12)'' and insert ''(14)''.

On page 143, line 7, strike ''(13)'' and insert ''(15)''.

On page 143, line 14, strike ''(14)'' and insert ''(16)''.

On page 143, line 20, strike ''(15)'' and insert ''(17)''.

On page 144, line 10, strike ''(16)'' and insert ''(18)''.

On page 145, line 1, strike ''(17)'' and insert ''(19)''.

On page 145, line 5, strike ''$182,423,000'' and insert ''$176,700,000''.

On page 145, line 6, strike ''$106,132,000'' and insert ''$116,900,000''.

On page 145, line 8, strike ''$76,291,000'' and insert ''$59,800,000''.

On page 145, line 14, strike ''(18)'' and insert ''(20)''.

On page 146, line 3, strike ''(19)'' and insert ''(21)''.

On page 146, line 9, strike ''(20)'' and insert ''(22)''.

On page 147, line 21, strike ''$8,137,000'' and insert $1,251,000''.

On page 147, line 22, strike ''$6,550,000'' and insert ''$1,007,000''.

On page 147, line 23, strike ''$1,587,000'' and insert ''$244,000''.

On page 149, after line 24, add the following:

(1) FORT PIERCE SHORE PROTECTION, FLORIDA.—

(A) IN GENERAL.—The Fort Pierce, Florida, shore protection and harbor mitigation project authorized by section 301 of the River and Harbor Act of 1965 (79 Stat. 1092) and section 506(a)(2) of the Water Resources Development Act of 1996 (110 Stat. 3757) is modified to include an additional 1-mile extension of the project and increased Federal participation in accordance with section 101(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(c)), as described in the general reevaluation report approved by the Chief of Engineers, at an estimated total cost of $9,128,000, with an estimated Federal cost of $7,074,000 and an estimated non-Federal cost of $2,054,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period for the modified project, at an estimated annual cost of $559,000, with an estimated annual Federal cost of $433,000 and an estimated annual non-Federal cost of $126,000.

On page 150, line 1, strike ''(1)'' and insert ''(2)''.

On page 151, line 12, strike ''(2)'' and insert ''(3)''.

On page 154, line 4, strike ''REDESIGNATIONS'' and insert ''REDESIGNATIONS AS PART OF THE 6-FOOT ANCHORAGE''.

On page 155, strike lines 10 and 11 and insert the following:

(D) REDESIGNATION AS PART OF THE 6-FOOT CHANNEL.—The following portion of the project shall be redesignated as part of the 6-foot channel: the portion the boundaries of which begin at a

On page 156, strike lines 4 and 5 and insert the following:

(E) REALIGNMENT.—The portion of the project described in subparagraph (D) shall be

On page 156, line 20, strike ''(E)'' and insert ''(F)''.

On page 156, between lines 22 and 23, insert the following:

(G) CONSERVATION EASEMENT.—The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, may accept a conveyance of the right, but not the obligation, to enforce a conservation easement to be held by the State of Maine over certain land owned by the town of Wells, Maine, that is adjacent to the Rachel Carson National Wildlife Refuge.

On page 156, line 23, strike ''(3)'' and insert ''(4)''.

On page 157, between lines 14 and 15, insert the following:

(5) WILLAMETTE RIVER TEMPERATURE CONTROL, MCKENZIE SUBBASIN, OREGON.—The project for environmental restoration, Willamette River Temperature Control, McKenzie Subbasin, Oregon, authorized by section 101(a)(25) of the Water Resources Development Act of 1996 (110 Stat. 3665), is modified to authorize the Secretary to construct the project at a total Federal cost of $64,741,000.

On page 169, between lines 15 and 16, insert the following:

(u) LEE COUNTY, CAPTIVA ISLAND SEGMENT, FLORIDA.—

(1) IN GENERAL.—The project for shoreline protection, Lee County, Captiva Island segment, Florida, authorized by section 506(b)(3)(A) of the Water Resources Development Act of 1996 (110 Stat. 3758), is modified to direct the Secretary to enter into an agreement with the non-Federal interest to carry out the project in accordance with section 206 of the Water Resources Development Act of 1992 (33 U.S.C. 426*i*–1).

(2) DECISION DOCUMENT.—The design memorandum approved in 1996 shall be the decision document supporting continued Federal participation in cost sharing of the project.

(v) COLUMBIA RIVER CHANNEL, WASHINGTON AND OREGON.—

(1) IN GENERAL.—The project for navigation, Columbia River between Vancouver, Washington, and The Dalles, Oregon, authorized by the first section of the Act of July 24, 1946 (60 Stat. 637, chapter 595), is modified to authorize the Secretary to construct an alternate barge channel to traverse the high span of the Interstate Route 5 bridge between Portland, Oregon, and Vancouver, Washington, to a depth of 17 feet, with a width of approximately 200 feet through the high span of the bridge and a width of approximately 300 feet upstream of the bridge.

(2) DISTANCE UPSTREAM.—The channel shall continue upstream of the bridge approximately 2,500 feet to about river mile 107, then to a point of convergence with the main barge channel at about river mile 108.

(3) DISTANCE DOWNSTREAM.—

(A) SOUTHERN EDGE.—The southern edge of the channel shall continue downstream of the bridge approximately 1,500 feet to river mile 106+10, then turn northwest to tie into the edge of the Upper Vancouver Turning Basin.

(B) NORTHERN EDGE.—The northern edge of the channel shall continue downstream of the bridge to the Upper Vancouver Turning Basin.

On page 171, between lines 12 and 13, insert the following:

(d) CARVERS HARBOR, VINALHAVEN, MAINE.—

(1) DEAUTHORIZATION.—The portion of the project for navigation, Carvers Harbor, Vinalhaven, Maine, authorized by the Act of June 3, 1896 (commonly known as the ''River and Harbor Appropriations Act of 1896'') (29 Stat. 202, chapter 314), described in paragraph (2) is not authorized after the date of enactment of this Act.

(2) DESCRIPTION.—The portion of the project referred to in paragraph (1) is the portion of the 16-foot anchorage beginning at a point with coordinates N137,502.04, E895,156.83, thence running south 6 degrees 34 minutes 57.6 seconds west 277.660 feet to a point N137,226.21, E895,125.00, thence running north 53 degrees, 5 minutes 42.4 seconds west 127.746 feet to a point N137,302.92, E895022.85, thence running north 33 degrees 56 minutes 9.8 seconds east 239.999 feet to the point of origin.

On page 171, line 13, strike ''(d)'' and insert ''(e)''.

On page 171, after line 23, add the following:

(f) SEARSPORT HARBOR, SEARSPORT, MAINE.—

(1) DEAUTHORIZATION.—The portion of the project for navigation, Searsport Harbor, Searsport, Maine, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1173), described in paragraph (2) is not authorized after the date of enactment of this Act.

(2) DESCRIPTION.—The portion of the project referred to in paragraph (1) is the portion of the 35-foot turning basin beginning at a point with coordinates N225,008.38, E395,464.26, thence running north 43 degrees 49 minutes 53.4 seconds east 362.001 feet to a point N225,269.52, E395,714.96, thence running south 71 degrees 27 minutes 33.0 seconds east 1,309.201 feet to a point N224,853.22, E396,956.21, thence running north 84 degrees 3 minutes 45.7 seconds west 1,499.997 feet to the point of origin.

On page 172, between lines 11 and 12, insert the following:

(b) BOYDSVILLE, ARKANSAS.—The Secretary shall conduct a study to determine the feasibility of reservoir and associated improvements to provide for flood control, recreation, water quality, water supply, and fish and wildlife purposes in the vicinity of Boydsville, Arkansas.

(c) UNION COUNTY, ARKANSAS.—The Secretary shall conduct a study to determine the feasibility of municipal and industrial water supply for Union County, Arkansas.

(d) WHITE RIVER BASIN, ARKANSAS AND MISSOURI.—

(1) IN GENERAL.—The Secretary shall conduct a study of the project for flood control, power generation, and other purposes at the White River Basin, Arkansas and Missouri, authorized by section 4 of the Act of June 28, 1938 (52 Stat. 1218, chapter 795), and modified by H. Doc. 917, 76th Cong., 3d Sess., and H. Doc. 290, 77th Cong., 1st Sess., approved August 18, 1941, and H. Doc. 499, 83d Cong., 2d Sess., approved September 3, 1954, and by section 304 of the Water Resources Development Act of 1996 (110 Stat. 3711) to determine the feasibility of modifying the project to provide minimum flows necessary to sustain the tail water trout fisheries.

(2) REPORT.—Not later than July 30, 2000, the Secretary shall submit to Congress a report on the study and any recommendations on reallocation of storage at Beaver Lake, Table Rock, Bull Shoals Lake, Norfolk Lake, and Greers Ferry Lake.

On page 172, line 12, strike ''(b)'' and insert ''(e)''.

On page 172, after line 25, add the following:

(f) FRAZIER CREEK, TULARE COUNTY, CALIFORNIA.—The Secretary shall conduct a study to determine—

(1) the feasibility of restoring Frazier Creek, Tulare County, California; and

(2) the Federal interest in flood control, environmental restoration, conservation of fish and wildlife resources, recreation, and water quality of the creek.

On page 173, line 1, strike ''(c)'' and insert ''(g)''.

On page 173, line 7, strike ''(d)'' and insert ''(h)''.

On page 173, line 12, strike ''(e)'' and insert ''(i)''.

On page 173, line 20, strike ''(f)'' and insert ''(j)''.

On page 174, line 1, strike ''(g)'' and insert ''(k)''.

On page 174, line 8, strike ''(h)'' and insert ''(l)''.

On page 174, line 18, strike ''(i)'' and insert ''(m)''.

On page 174, after line 24, add the following:

(n) BOISE, IDAHO.—The Secretary shall conduct a study to determine the feasibility of undertaking flood control on the Boise River in Boise, Idaho.

On page 175, line 1, strike ''(j)'' and insert ''(o)''.

On page 175, line 7, strike ''(k)'' and insert ''(p)''.

On page 175, between lines 11 and 12, insert the following:

(q) BANK STABILIZATION, SNAKE RIVER, LEWISTON, IDAHO.—The Secretary shall conduct a study to determine the feasibility of undertaking bank stabilization and flood control on the Snake River at Lewiston, Idaho.

On page 175, line 12, strike ''(l)'' and insert ''(r)''.

On page 175, line 16, strike ''(m)'' and insert ''(s)''.

On page 175, line 21, strike ''(n)'' and insert ''(t)''.

On page 176, line 1, strike ''(o)'' and insert ''(u)''.

On page 176, line 6, strike ''(p)'' and insert ''(v)''.

On page 176, line 10, strike ''(q)'' and insert ''(w)''.

On page 176, line 15, strike ''(r)'' and insert ''(x)''.

On page 177, strike lines 1 and 2 and insert the following:

compaction, subsidence, wind and wave action, bank failure, and other problems relating to water resources in the area.

On page 177, line 3, strike ''(s)'' and insert ''(y)''.

On page 177, line 11, strike ''(t)'' and insert ''(z)''.

On page 177, between lines 21 and 22, insert the following:

(aa) MUDDY RIVER, BROOKLINE AND BOSTON, MASSACHUSETTS.—

(1) IN GENERAL.—The Secretary shall evaluate the January 1999 study commissioned by the Boston Parks and Recreation Department, Boston, Massachusetts, and entitled ''The Emerald Necklace Environmental Improvement Master Plan, Phase I Muddy River Flood Control, Water Quality and Habitat Enhancement'', to determine whether the plans outlined in the study for flood control, water quality, habitat enhancements, and other improvements to the Muddy River in Brookline and Boston, Massachusetts, are cost-effective, technically sound, environmentally acceptable, and in the Federal interest.

(2) REPORT.—Not later than December 31, 1999, the Secretary shall report to Congress the results of the evaluation.

On page 177, line 22, strike ''(u)'' and insert ''(bb)''.

On page 178, line 9, strike ''(v)'' and insert ''(cc)''.

On page 178, line 13, strike ''(w)'' and insert ''(dd)''.

On page 178, between lines 18 and 19, insert the following:

(ee) DREDGED MATERIAL MANAGEMENT, PASCAGOULA HARBOR, MISSISSIPPI.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine an alternative plan for dredged material management for the Pascagoula River portion of the project for navigation, Pascagoula Harbor, Mississippi, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4094).

(2) CONTENTS.—The study under paragraph (1) shall—

(A) include an analysis of the feasibility of expanding the Singing River Island Disposal Area or constructing a new dredged material disposal facility; and

(2) identify methods of managing and reducing sediment transport into the Federal navigation channel.

On page 178, line 19, strike ''(x)'' and insert ''(ff)''.

On page 179, line 6, strike ''(y)'' and insert ''(gg)''.

On page 179, line 19, strike ''April 15, 1999,'' and insert ''April 15, 2000,''.

On page 179, line 22, strike ''(z)'' and insert ''(hh)''.

On page 180, line 13, strike ''(aa)'' and insert ''(ii)''.

On page 180, line 21, strike ''(bb)'' and insert ''(jj)''.

On page 181, line 1, strike ''(cc)'' and insert ''(kk)''.

Beginning on page 182, strike line 4 and all that follows through page 184, line 8.

On page 184, line 9, strike ''(ee)'' and insert ''(ll)''.

On page 184, line 13, strike ''(ff) EAST LAKE, VERMILLION AND'' and insert ''(mm)''.

On page 184, line 16, strike ''East Lake, Vermillion and''.

On page 184, line 22, strike ''(gg)'' and insert ''(nn)''.

On page 185, line 1, strike ''(hh)'' and insert ''(oo)''.

On page 185, line 7, strike ''(ii)'' and insert ''(pp)''.

On page 185, line 11, strike ''(jj)'' and insert ''(qq)''.

On page 186, between lines 6 and 7, insert the following:

(rr) CONTAMINATED DREDGED MATERIAL AND SEDIMENT MANAGEMENT, SOUTH CAROLINA COASTAL AREAS.—

(1) IN GENERAL.—The Secretary shall review pertinent reports and conduct other studies and field investigations to determine the best available science and methods for management of contaminated dredged material and sediments in the coastal areas of South Carolina.

(2) FOCUS.—In carrying out subsection (a), the Secretary shall place particular focus on areas where the Corps of Engineers maintains deep draft navigation projects, such as Charleston Harbor, Georgetown Harbor, and Port Royal, South Carolina.

(3) COOPERATION.—The studies shall be conducted in cooperation with the appropriate Federal and State environmental agencies.

On page 186, line 7, strike ''(kk)'' and insert ''(ss)''.

On page 186, line 15, strike ''(ll)'' and insert ''(tt)''.

On page 187, between lines 2 and 3, insert the following:

(uu) MOUNT ST. HELENS ENVIRONMENTAL RESTORATION, WASHINGTON.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of ecosystem restoration improvements throughout the Cowlitz and Toutle River basins, Washington, including the 6,000 acres of wetland, riverine, riparian, and upland habitats lost or altered due to the eruption of Mount St. Helens in 1980 and subsequent emergency actions.

(2) REQUIREMENTS.—In carrying out the study, the Secretary shall—

(A) work in close coordination with local governments, watershed entities, the State of Washington, and other Federal agencies; and

(B) place special emphasis on—

(i) conservation and restoration strategies to benefit species that are listed or proposed for listing as threatened or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(ii) other watershed restoration objectives.

On page 187, line 3, strike ''(mm)'' and insert ''(vv)''.

On page 187, line 9, strike ''(nn)'' and insert ''(ww)''.

On page 187, line 14, strike ''(oo)'' and insert ''(xx)''.

On page 187, line 20, strike ''(pp)'' and insert ''(yy)''.

On page 187, line 25, strike ''(qq)'' and insert ''(zz)''.

On page 189, between lines 3 and 4, insert the following:

(aaa) GREAT LAKES NAVIGATIONAL SYSTEM.—In consultation with the St. Lawrence Seaway Development Corporation, the Secretary shall review the Great Lakes Connecting Channel and Harbors Report dated March 1985 to determine the feasibility of any modification of the recommendations made in the report to improve commercial navigation on the Great Lakes navigation system, including locks, dams, harbors, ports, channels, and other related features.

On page 192, strike lines 6 through 14 and insert the following:

(e) PRIORITY AREAS.—In carrying out this section, the Secretary shall examine the potential for flood damage reductions at appropriate locations, including—

(1) Los Angeles County drainage area, California;

(2) Napa River Valley watershed, California;

(3) Le May, Missouri;

(4) the upper Delaware River basin, New York;

(5) Mill Creek, Cincinnati, Ohio;

(6) Tillamook County, Oregon;

(7) Willamette River basin, Oregon;

(8) Delaware River, Pennsylvania;

(9) Schuylkill River, Pennsylvania; and

(10) Providence County, Rhode Island.

On page 203, strike lines 19 through 24 and insert the following:

SEC. 214. CONTROL OF AQUATIC PLANT GROWTH.

Section 104(a) of the River and Harbor Act of 1958 (33 U.S.C. 610(a)) is amended in the first sentence by striking ''water-hyacinth, alligatorweed, Eurasian water milfoil, melaleuca,'' and inserting ''Alligatorweed, Aquaticum, Arundo Dona, Brazilian Elodea, Cabomba, Melaleuca, Myrophyllum, Spicatum, Tarmarix, Water Hyacinth,''.

On page 205, line 11, strike the quotation marks and the semicolon.

On page 205, between lines 11 and 12, insert the following:

''(24) Columbia Slough watershed, Oregon.'';

On page 211, strike line 8 and insert the following:

SEC. 223. JOHN GLENN GREAT LAKES BASIN PROGRAM.

On page 220, strike lines 4 through 8 and insert the following:

SEC. 229. ATLANTIC COAST OF NEW YORK.

Section 404(c) of the Water Resources Development Act of 1992 (106 Stat. 4863) is amended by inserting after ''1997'' the following: ''and an additional total of $2,500,000 for fiscal years thereafter''.

On page 221, between lines 11 and 12, insert the following:

SEC. 231. MISSISSIPPI RIVER COMMISSION.

Notwithstanding any other provision of law, a member of the Mississippi River Commission (other than the president of the Commission) shall receive annual pay of $21,500.

SEC. 232. USE OF PRIVATE ENTERPRISES.

(a) INVENTORY AND REVIEW.—The Secretary shall inventory and review all activities of

the Corps of Engineers that are not inherently governmental in nature in accordance with the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note; Public Law 105–270).

(b) CONSIDERATIONS.—In determining whether to commit to private enterprise the performance of architectural or engineering services (including surveying and mapping services), the Secretary shall take into consideration professional qualifications as well as cost.

On page 233, lines 21 and 22, strike ''equally between the programs authorized by paragraph (1)(A)'' and insert ''between the programs authorized by paragraph (1)(A) in amounts that are proportionate to the amounts authorized to be appropriated to carry out those programs, respectively''.

On page 238, strike lines 15 through 22 and insert the following:

SEC. 316. NINE MILE RUN HABITAT RESTORATION, PENNSYLVANIA.

If the Secretary determines that the documentation is integral to the project, the Secretary shall credit against the non-Federal share such costs, not to exceed $1,000,000, as are incurred by the non-Federal interests in preparing the environmental restoration report, planning and design-phase scientific and engineering technical services documentation, and other preconstruction documentation for the habitat restoration project, Nine Mile Run, Pennsylvania.

On page 248, after line 22, add the following:

SEC. 332. PINE FLAT DAM, KINGS RIVER, CALIFORNIA.

Under the authority of section 1135(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), the Secretary shall carry out a project to construct a turbine bypass at Pine Flat Dam, Kings River, California, in accordance with the Project Modification Report and Environmental Assessment dated September 1996.

SEC. 333. LEVEES IN ELBA AND GENEVA, ALABAMA.

(a) ELBA, ALABAMA.—

(1) IN GENERAL.—The Secretary may repair and rehabilitate a levee in the city of Elba, Alabama, at a total cost of $12,900,000.

(2) COST SHARING.—The non-Federal share of the cost of repair and rehabilitation under paragraph (1) shall be 35 percent.

(b) GENEVA, ALABAMA.—

(1) IN GENERAL.—The Secretary may repair and rehabilitate a levee in the city of Geneva, Alabama, at a total cost of $16,600,000.

(2) COST SHARING.—The non-Federal share of the cost of repair and rehabilitation under paragraph (1) shall be 35 percent.

SEC. 334. TORONTO LAKE AND EL DORADO LAKE, KANSAS.

(a) IN GENERAL.—The Secretary shall convey to the State of Kansas, by quitclaim deed and without consideration, all right, title, and interest of the United States in and to the 2 parcels of land described in subsection (b) on which correctional facilities operated by the Kansas Department of Corrections are situated.

(b) LAND DESCRIPTION.—The parcels of land referred to in subsection (a) are—

(1) the parcel located in Butler County, Kansas, adjacent to the El Dorado Lake Project, consisting of approximately 32.98 acres; and

(2) the parcel located in Woodson County, Kansas, adjacent to the Toronto Lake Project, consisting of approximately 51.98 acres.

(c) CONDITIONS.—

(1) USE OF LAND.—A conveyance of a parcel under subsection (a) shall be subject to the condition that all right, title, and interest in and to the parcel conveyed under subsection (a) shall revert to the United States if the parcel is used for a purpose other than that of a correctional facility.

(2) COSTS.—The Secretary may require such additional terms, conditions, reservations, and restrictions in connection with the conveyance as the Secretary determines are necessary to protect the interests of the United States, including a requirement that the State pay all reasonable administrative costs associated with the conveyance.

SEC. 335. SAN JACINTO DISPOSAL AREA, GALVESTON, TEXAS.

Section 108 of the Energy and Water Development Appropriations Act, 1994 (107 Stat. 1320), is amended in the first sentence of subsection (a) and in subsection (b)(1) by striking ''fee simple absolute title'' each place it appears and inserting ''fee simple title to the surface estate (without the right to use the surface of the property for the production of minerals)''.

SEC. 336. ENVIRONMENTAL INFRASTRUCTURE.

Section 219(e)(1) of the Water Resources Development Act of 1992 (106 Stat. 4835; 110 Stat. 3757) is amended by striking ''$10,000,000'' and inserting ''$15,000,000''.

SEC. 337. WATER MONITORING STATION.

Section 584(b) of the Water Resources Development Act of 1996 (110 Stat. 3791) is amended by striking ''$50,000'' and inserting ''$100,000''.

SEC. 338. UPPER MISSISSIPPI RIVER COMPREHENSIVE PLAN.

(a) DEVELOPMENT.—The Secretary shall develop a plan to address water and related land resources problems in the upper Mississippi River basin and the Illinois River basin, extending from Cairo, Illinois, to the headwaters of the Mississippi River, to determine the feasibility of systemic flood damage reduction by means of—

(1) structural and nonstructural flood control and floodplain management strategies;

(2) continued maintenance of the navigation project;

(3) management of bank caving, erosion, watershed nutrients and sediment, habitat, and recreation; and

(4) other related means.

(b) CONTENTS.—The plan shall contain recommendations for—

(1) management plans and actions to be carried out by Federal and non-Federal entities;

(2) construction of a systemic flood control project in accordance with a plan for the upper Mississippi River;

(3) Federal action, where appropriate; and

(4) follow-on studies for problem areas for which data or current technology does not allow immediate solutions.

(c) CONSULTATION AND USE OF EXISTING DATA.—In developing the plan, the Secretary shall—

(1) consult with appropriate State and Federal agencies; and

(2) make maximum use of—

(A) data and programs in existence on the date of enactment of this Act; and

(B) efforts of States and Federal agencies.

(d) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that includes the plan.

SEC. 339. MCNARY LOCK AND DAM, WASHINGTON.

(a) IN GENERAL.—The Secretary may convey to a port district or a port authority—

(1) without the payment of additional consideration, any remaining right, title, and interest of the United States in property acquired for the McNary Lock and Dam, Washington, project and subsequently conveyed to the port district or a port authority under section 108 of the River and Harbor Act of 1960 (33 U.S.C. 578); and

(2) at fair market value, as determined by the Secretary, all right, title, and interest of the United States in such property under the jurisdiction of the Secretary relating to the project as the Secretary considers appropriate.

(b) CONDITIONS, RESERVATIONS, AND RESTRICTIONS.—A conveyance under subsection (a) shall be subject to—

(1) such conditions, reservations, and restrictions as the Secretary determines to be necessary for the development, maintenance, or operation or the project or otherwise in the public interest; and

(2) the payment by the port district or port authority of all administrative costs associated with the conveyance.

SEC. 340. MC NARY NATIONAL WILDLIFE REFUGE.

(a) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Administrative jurisdiction over the McNary National Wildlife Refuge is transferred from the Secretary to the Secretary of the Interior.

(b) LAND EXCHANGE WITH THE PORT OF WALLA WALLA, WASHINGTON.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Interior may exchange approximately 188 acres of land located south of Highway 12 and comprising a portion of the McNary National Wildlife Refuge for approximately 122 acres of land owned by the Port of Walla Walla, Washington, and located at the confluence of the Snake River and the Columbia River.

(2) TERMS AND CONDITIONS.—The land exchange under paragraph (1) shall be carried out in accordance with such terms and conditions as the Secretary of the Interior determines to be necessary to protect the interests of the United States, including a requirement that the Port pay—

(A) reasonable administrative costs (not to exceed $50,000) associated with the exchange; and

(B) any excess (as determined by the Secretary of the Interior) of the fair market value of the parcel conveyed by the Secretary of the Interior over the fair market value of the parcel conveyed by the Port.

(3) USE OF FUNDS.—The Secretary of the Interior may retain any funds received under paragraph (2)(B) and, without further Act of appropriation, may use the funds to acquire replacement habitat for the Mid-Columbia River National Wildlife Refuge Complex.

(c) MANAGEMENT.—The McNary National Wildlife Refuge and land conveyed by the Port of Walla Walla, Washington, under subsection (b) shall be managed in accordance with applicable laws, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)) and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

TITLE IV—CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX TRIBE, AND STATE OF SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION

SEC. 401. CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX TRIBE, AND STATE OF SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION.

(a) DEFINITIONS.—Section 601 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–660), is amended—

(1) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (4), and (5), respectively;

(2) by inserting before paragraph (2) (as redesignated by paragraph (1)) the following:

''(1) COMMISSION.—The term 'Commission' means the South Dakota Cultural Resources

Advisory Commission established by section 605(j).''; and

(3) by inserting after paragraph (2) (as redesignated by paragraph (1)) the following:

''(3) SECRETARY.—The term 'Secretary' means the Secretary of the Army.''.

(b) TERRESTRIAL WILDLIFE HABITAT RESTORATION.—Section 602 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–660), is amended—

(1) in subsection (a)(4)—

(A) in subparagraph (A)(ii), by striking ''803'' and inserting ''603'';

(B) in subparagraph (B)(ii), by striking ''804'' and inserting ''604''; and

(C) in subparagraph (C)—

(i) in clause (i)(II), by striking ''803(d)(3) and 804(d)(3)'' and inserting ''603(d)(3) and 604(d)(3)''; and

(ii) in clause (ii)(II)—

(I) by striking ''803(d)(3)(A)(i)'' and inserting ''603(d)(3)(A)(i)''; and

(II) by striking ''804(d)(3)(A)(i)'' and inserting ''604(d)(3)(A)(i)'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''803(d)(3)(A)(iii)'' and inserting ''603(d)(3)(A)(ii)(III)''; and

(B) in paragraph (4)—

(i) in subparagraph (A), by striking ''803(d)(3)(A)(iii)'' and inserting ''603(d)(3)(A)(ii)(III)''; and

(ii) in subparagraph (B), by striking ''804(d)(3)(A)(iii)'' and inserting ''604(d)(3)(A)(ii)(III)''; and

(3) in subsection (c), by striking ''803 and 804'' and inserting ''603 and 604''.

(c) SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUND.—Section 603 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–663), is amended—

(1) in subsection (c)—

(A) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(B) by adding at the end the following:

''(2) INTEREST RATE.—The Secretary of the Treasury shall invest amounts in the fund in obligations that carry the highest rate of interest among available obligations of the required maturity.''; and

(2) in subsection (d)—

(A) in paragraph (2), by striking ''802(a)(4)(A)'' and inserting ''602(a)(4)(A)''; and

(B) in paragraph (3)(A)—

(i) in clause (i)—

(I) by striking ''802(a)'' and inserting ''602(a)''; and

(II) by striking ''and'' at the end; and

(ii) in clause (ii)—

(I) in subclause (III), by striking ''802(b)'' and inserting ''602(b)''; and

(II) in subclause (IV)—

(aa) by striking ''802'' and inserting ''602''; and

(bb) by striking ''and'' at the end.

(d) CHEYENNE RIVER SIOUX TRIBE AND LOWER BRULE SIOUX TRIBE TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUNDS.—Section 604 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–664), is amended—

(1) in subsection (c)—

(A) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(B) by adding at the end the following:

''(2) INTEREST RATE.—The Secretary of the Treasury shall invest amounts in the fund in obligations that carry the highest rate of interest among available obligations of the required maturity.''; and

(2) in subsection (d)—

(A) in paragraph (2), by striking ''802(a)(4)(B)'' and inserting ''602(a)(4)(B)''; and

(B) in paragraph (3)(A)—

(i) in clause (i), by striking ''802(a)'' and inserting ''602(a)''; and

(ii) in clause (ii)—

(I) in subclause (III), by striking ''802(b)'' and inserting ''602(b)''; and

(II) in subclause (IV), by striking ''802'' and inserting ''602''.

(e) TRANSFER OF FEDERAL LAND TO STATE OF SOUTH DAKOTA.—Section 605 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–665), is amended—

(1) in subsection (a)(2)(B), by striking ''802'' and inserting ''602'';

(2) in subsection (c), in the mater preceding paragraph (1), by striking ''waters'' and inserting ''facilities'';

(3) in subsection (e)(2), by striking ''803'' and inserting ''603'';

(4) by striking subsection (g) and inserting the following:

''(g) HUNTING AND FISHING.—

''(1) IN GENERAL.—Except as provided in this section, nothing in this title affects jurisdiction over the waters of the Missouri River below the water's edge and outside the exterior boundaries of an Indian reservation in South Dakota.

''(2) JURISDICTION.—

''(A) TRANSFERRED LAND.—On transfer of the land under this section to the State of South Dakota, jurisdiction over the land shall be the same as that over other land owned by the State of South Dakota.

''(B) LAND BETWEEN THE MISSOURI RIVER WATER'S EDGE AND THE LEVEL OF THE EXCLUSIVE FLOOD POOL.—Jurisdiction over land between the Missouri River water's edge and the level of the exclusive flood pool outside Indian reservations in the State of South Dakota shall be the same as that exercised by the State on other land owned by the State, and that jurisdiction shall follow the fluctuations of the water's edge.

''(D) FEDERAL LAND.—Jurisdiction over land and water owned by the Federal government within the boundaries of the State of South Dakota that are not affected by this Act shall remain unchanged.

''(3) EASEMENTS AND ACCESS.—The Secretary shall provide the State of South Dakota with easements and access on land and water below the level of the exclusive flood pool outside Indian reservations in the State of South Dakota for recreational and other purposes (including for boat docks, boat ramps, and related structures), so long as the easements would not prevent the Corps of Engineers from carrying out its mission under the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes'', approved December 22, 1944 (commonly known as the 'Flood Control Act of 1944') (58 Stat. 887)).''; and

(5) by adding at the end the following:

''(i) IMPACT AID.—The land transferred under subsection (a) shall be deemed to continue to be owned by the United States for purposes of section 8002 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702).''

(f) TRANSFER OF CORPS OF ENGINEERS LAND FOR INDIAN TRIBES.—Section 606 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–667), is amended—

(1) in subsection (a)(1), by inserting before the period at the end the following: ''for their use in perpetuity'';

(2) in subsection (c), in the matter preceding paragraph (1), by striking ''waters'' and inserting ''facilities'';

(3) in subsection (f), by striking paragraph (2) and inserting the following:

''(2) HUNTING AND FISHING.—

''(A) IN GENERAL.—Except as provided in this section, nothing in this title affects jurisdiction over the waters of the Missouri River below the water's edge and within the exterior boundaries of the Cheyenne River Sioux and Lower Brule Sioux Tribe reservations.

''(B) JURISDICTION.—On transfer of the land to the respective tribes under this section, jurisdiction over the land and on land between the water's edge and the level of the exclusive flood pool within the respective Tribe's reservation boundaries shall be the same as that over land held in trust by the Secretary of the Interior on the Cheyenne River Sioux Reservation and the Lower Brule Sioux Reservation, and that jurisdiction shall follow the fluctuations of the water's edge.

''(C) EASEMENTS AND ACCESS.—The Secretary shall provide the Tribes with such easements and access on land and water below the level of the exclusive flood pool inside the respective Indian reservations for recreational and other purposes (including for boat docks, boat ramps, and related structures), so long as the easements would not prevent the Corps of Engineers from carrying out its mission under the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes'', approved December 22, 1944 (commonly known as the 'Flood Control Act of 1944') (58 Stat. 887)).'';

(4) in subsection (e)(2), by striking ''804'' and inserting ''604''; and

(5) by adding at the end the following:

''(g) EXTERIOR INDIAN RESERVATION BOUNDARIES.—Notheing in this section diminishes, changes, or otherwise affects the exterior boundaries of a reservation of an Indian tribe.''.

(g) ADMINISTRATION.—Section 607(b) of division C of the Omnibus Consolidated and Energy Supplemental Appropriations Act, 1999 (112 Stat. 2681–669), is amended by striking ''land'' and inserting ''property''.

(h) STUDY.—Section 608 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–670), is amended—

(1) in subsection (a)—

(A) by striking ''Not late than 1 year after the date of enactment of this Act, the Secretary'' and inserting ''The Secretary'';

(B) by striking ''to conduct'' and inserting ''to complete, not later than October 31, 1999,''; and

(C) by striking ''805(b) and 806(b)'' and inserting ''605(b) and 606(b)'';

(2) in subsection (b), by striking ''805(b) or 806(b)'' and inserting ''606(b) or 606(b)''; and

(3) by adding at the end the following:

''(c) STATE WATER RIGHTS.—The results of the study shall not affect, and shall not be taken into consideration in, any proceeding to quantify the water rights of any State.

''(d) INDIAN WATER RIGHTS.—The results of the study shall not affect, and shall not be taken into consideration in, any proceeding to quantify the water rights of any Indian tribe or tribal nation.''.

(i) AUTHORIZATION OF APPROPRIATIONS.—Section 609(a) of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–670), is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2)—

(A) by striking ''802(a)'' and inserting ''605(a)''; and

(B) by striking ''803(d)(3) and 804(d)(3).'' and inserting ''603(d)(3) and 604(d)(3); and''; and

(3) by adding at the end the following:

''(3) to fund the annual expenses (not to exceed the Federal cost as of the date of enactment of this Act) of operating recreation areas to be transferred under sections 605(c) and 606(c) or leased by the State of South Dakota or Indian tribes, until such time as the trust funds under sections 603 and 604 are fully capitalized.''.

On Page 157 in between lines 14 and 15, insert the following:

(6) WHITE RIVER BASIN, ARKANSAS AND MISSOURI.—

(A) IN GENERAL.—The project for flood control, power generation and other purposes at the White River Basin, Arkansas and Missouri, authorized by section 4 of the Act of June 28, 1938 (52 Stat. 1218, chapter 795), and modified by H. Doc. 917, 76th Cong., 3d Sess., and H. Doc. 290, 77th Cong., 1st Sess., approved August 18, 1941, and H. Doc. 499, 83d Cong., 2d Sess., approved September 3, 1954, and by Section 304 of the Water Resources Development Act of 1996 (110 Stat. 3711) is modified to authorize the Secretary to provide minimum flows necessary to sustain tail water trout fisheries by reallocating the following amounts of project storage: Beaver Lake, 3.5 feet; Table Rock, 2 feet; Bull Shoals Lake, 5 feet; Norfork Lake, 3.5 feet; and Greers Ferry Lake, 3 feet. The Secretary shall complete such report and submit it to the Congress by July 30, 2000.

(B) REPORT.—The report of the Chief of Engineers, required by this subsection, shall also include a determination that the modification of the project in subparagraph (A) does not adversely affect other authorized project purposes, and that no federal costs are incurred.

NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Health, Education, Labor, and Pensions will be held on Thursday, April 22, 1999, 10 a.m., in SD–628 of the Senate Dirksen Building. The subject of the hearing is ''ESEA Reauthorization.'' For further information, please call the committee, 202/224–5375.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. VOINOVICH. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a field hearing on ''Teaching Teachers'' during the session of the Senate on Monday, April 19, 1999, at 9 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WESTERN HEMISPHERE, PEACE CORPS, NARCOTICS AND TERRORISM

Mr. VOINOVICH. Mr. President, I ask unanimous consent that the Subcommittee on Western Hemisphere, Peace Corps, Narcotics and Terrorism be authorized to meet during the session of the Senate on Monday, April 19, 1999 at 3:45 p.m. to hold a closed Members' briefing.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

BARRING CIVIL ACTIONS AGAINST THE PRESIDENT

● Mr. LEVIN. Mr. President, today I am joining my good friend from New York, Senator MOYNIHAN, as a cosponsor of his bill to limit civil actions against a sitting President. The Supreme Court may have been right in its analysis in *Clinton v. Jones* that the separation of powers doctrine does not require immunity from civil suit for a sitting President, but it was wrong when it concluded that ''a deluge of such litigation will never engulf the Presidency,'' and when it went on to assert, ''if properly managed by the District Court, it appears to us highly unlikely [for the Paula Jones civil suit] to occupy any substantial amount of petitioner's time.''

No one can reasonably believe that President Clinton didn't spend a significant amount of his time preparing his defense in the Paula Jones case. Moreover, we can all understand how the existence of such a case can be a significant distraction and preoccupation even when it is not being worked on directly.

The Supreme Court recognized in its decision in *Clinton v. Jones* the all-consuming nature of the responsibilities of being President of the United States. The Court wrote:

''As a starting premise, petitioner [the President] contends that he occupies a unique office with powers and responsibilities so vast and important that the public interest demands that he devote his undivided time and attention to his public duties . . . We have no dispute with the initial premise of the argument. Former presidents, from George Washington to George Bush, have consistently endorsed petitioner's characterization of the office. After serving his term, Lyndon Johnson observed: ''Of all the 1,886 nights I was President, there were not many when I got to sleep before 1 or 2 A.M., and there were few mornings when I didn't wake up by 6 or 6:30.''

Being President of the United States is a 24 hour a day job. That's both necessary and desirable. To allow the President to be sued for matters arising from acts committed prior to his taking office makes the President vulnerable to mischievous, possibly politically-motivated and time-consuming litigation. As the leader of our country and the most important political leader in the world, I don't want the President's attention diverted from the many important and consequential responsibilities of the office to defend against lawsuits based on allegations of conduct before the President ran for office and which could have therefore been filed prior to his taking office. That's why I support limiting the involvement of sitting Presidents in civil litigation.

Senator MOYNIHAN has taken the first step in addressing this problem. His bill would bar the President from participating in any civil trial involving the President as plaintiff or defendant but would permit discovery to the extent it is carried out with ''due deference to Presidential responsibilities'' and using ''reasonable case management principles.'' The bill would allow a civil suit to be filed and limited discovery to occur, but would not allow a President to proceed to trial as either a plaintiff or defendant. Senator MOYNIHAN has made a thoughtful proposal. However, I prefer that the bill be limited to only those civil cases brought with respect to matters that occurred before the President assumed office or before the President participated in the general election; I would not want to affect cases brought against Presidents for actions they have taken while President in their official capacity. There are a significant number of cases against every President for actions taken during their term in office, and I don't believe we can or should immunize the President from those types of cases. For example, President Truman was sued when he seized the steel plants. President Carter was sued over his decision to return the Panama Canal to Panama. President Reagan was sued regarding the role of America in El Salvador, and President Bush was sued for various matters relating to the Persian Gulf War. I am not commenting on the validity of these suits, I am only saying that such suits should not be disallowed since they are brought against the President in his or her official capacity and they are handled not by the President but by the Department of Justice and White House Legal Counsel. Another class of cases that should be permitted while a President is in office are domestic cases—those related to or involving personal family relationships such as the resolution of a will or an estate or child support.

The Supreme Court reported that only three sitting Presidents have been defendants in civil suits involving their actions prior to taking office. These were Theodore Roosevelt and Harry Truman whose cases were dismissed before they took office, and John F. Kennedy, whose case was settled once he took office. Given the increasing litigious nature of our society, we cannot rely on this history to project what may happen in the future. And given the recent experience of President Clinton and the Paula Jones case, we know the enormous consequences just one such case can have.

I look forward to working with Senator MOYNIHAN on this legislation and to getting it enacted in this Congress, before the next President takes office in the year 2001.●

HONORING MR. GERALD T. HALPIN

● Mr. ROBB. Mr. President, I'd like to use this occasion to honor a long-time friend, Mr. Gerald T. Halpin, who has shown that economic prosperity can go hand-in-hand with public service. Jerry Halpin is the Founder, President and Chief Executive Officer of

WEST*GROUP, a commercial real estate company based in McLean, Virginia, and he was recently honored as the 1998 Fairfax County Citizen of the Year by the Fairfax County Federation of Citizens Associations and ''The Washington Post.'' Jerry Halpin deserves this recognition, not just because he changed the face of Fairfax County as a visionary businessman, but also because of his vast record of quiet and selfless community leadership.

Anyone who is familiar with Northern Virginia is also familiar with Jerry Halpin's business accomplishments, although not everyone knows the full range of this self-effacing, public-spirited citizen's contributions to our community. In 1962, Jerry and three partners purchased a 125-acre farm on the crest of a hill in western Fairfax. On that crest he built Tysons Corner, which remains to this day one of the primary commercial centers in the entire region. His WEST*GROUP properties dot the area, and he has been responsible for the development, redevelopment or construction of office, retail, residential, resort, and industrial space for WEST*GROUP affiliates aggregating more than 12 million square feet.

In the midst of this time-consuming and successful business career, however, Jerry Halpin made the time to reinvest in his community. His specific contributions to this region are far too numerous to mention, although I would like to highlight a few. Thirty-five years ago, when the Fairfax County Park Authority was unable to secure sufficient funds to purchase land for a park site, he refinanced his home to cover the purchase price and then turned the land over to the Park Authority. Today, that land constitutes Burke Lake Park, one of Fairfax County's finest public recreation areas. As he was developing the WEST*GATE and WEST*PARK Office Parks in Tysons Corner, Jerry ensured that a net gain of trees existed after construction and donated land for a school, a ball park and transit stations. He played a major role in the purchase of various structures for Wolf Trap Farm Park, one of the finest facilities in the area, and dedicated substantial time to the Park as an early Trustee, Executive Committee Co-Chairman and Finance Committee Chairman of the Wolf Trap Foundation. On a more personal scale, Jerry was also involved in the landscaping of Trinity United Methodist Church and the Churchill Road Elementary School playground, both in McLean. A common thread runs through these disparate projects. Knowing him as I do, I am convinced that Jerry undertook each, not to advance his personal ambitions, but to promote the public interest. That's why many who live in the region are familiar with Jerry's commercial work but are less familiar with his public works. That is because Jerry is not a self-promoter, and I know he did not seek the honor that was bestowed upon him by the Federation of Citizens Associations. I am glad, however, that his selflessness has been recognized, not so much because Jerry needs awards, but because he provides the community with such a positive role model.

Despite his many years of work and service, Jerry Halpin is still going strong. He currently serves as Chairman of the Grand Teton National Park Foundation, as a Director of the National Fish and Wildlife Foundation, and as a Director and Chairman of the Finance Committee for the National Capital Bicentennial Celebration. These current activities build on many in the past, such as his service with the American Horticultural Society, the American Museum of Immigration, the National Parks and Recreation Association, the Virginia Museum of Science, the Boarder Baby Project Gala, and the Medical Care for Children Partnership Awards Dinner. Jerry has also volunteered his time and leadership skills to many charitable organizations including the McLean Project for the Arts, United Community Ministries, the Claude Moore Colonial Farm, Hospice of Northern Virginia, Fairfax Hospital and Northern Virginia Community College.

Jerry's civic participation has extended to various public boards and commissions. During my term as Governor of Virginia, I appointed him to the Governor's Task Force on Science and Technology and to the Governor's Joint Study Committee to inquire into the practicality of creating a Coal Slurry Pipeline in Virginia. Jerry served as a member of the Governor's Advisory Board on Industrial Development under Governors Holton, Godwin and Dalton. He was also a member of the Fairfax County Economic Development Authority and its predecessor organizations for over eight years.

Jerry Halpin has been a personal friend of mine for many years now. For over forty years, he has provided community leadership not only for Fairfax County, but to all of Northern Virginia and the Washington D.C. metropolitan area. The Fairfax County Federation of Citizens Associations and ''The Washington Post'' could not have selected anyone more deserving than Jerry Halpin to be the 1998 Fairfax County Citizen of the Year. George Hartzog, the former Director of the National Park Service, has called Jerry a ''treasure to mankind''—I couldn't have said it better.●

RECOGNIZING THE ''STEPS AHEAD'' PROGRAM IN SEATTLE, WA

● Mr. GORTON. Mr. President, during this past recess, I had the pleasure of presenting my Innovation in Education Awards to two excellent recipients, one of which I would like to recognize now.

One award was given to the ''Steps Ahead'' program from ''Community for Youth.'' Community for Youth is a local non-profit organization in Seattle whose Steps Ahead program provides adult mentors to youth at risk of academic or social failure. This program has been in existence for eight years and has demonstrated remarkable progress in transforming the lives of students who might otherwise fall through the cracks of our education system.

Steps Ahead's curriculum focuses on five key factors for student behavior: (1) Building a positive self-image, (2) Expressing themselves assertively rather than passively or aggressively, (3) Accepting responsibility for their behavior rather than making excuses, (4) Setting and keeping realistic goals in life and (5) Making conscious decisions to solve problems rather than reactively letting the world pass them by. These may seem like exceedingly basic principles but, this focus has reaped great rewards with the students it has reached.

The students involved in this program have, for whatever reason been labeled as ''at-risk.'' Fortunately, through the simple concept of restoring self-respect, accountability, and confidence, the Steps Ahead program has achieved outstanding results. Steps Ahead participants have fewer dropouts and fewer expulsions from school than their peers. The Steps Ahead students also have ten percent better classroom attendance, twenty-five percent fewer grades, and fifteen percent fewer dropouts, expulsions and long term suspensions—all this is the heart of metropolitan Seattle where the escourge of dropouts rates, poor attendance, and violent behavioral problems have traditionally been some of the worst in Washington state.

Community for Youth's efforts thought the Steps Ahead program is just one piece of the puzzle of trying to improve the lives and education of troubled youth. More importantly, perhaps, Steps Ahead has accomplished these feats by teaming up with local business to provide funding and mentors and by teaming up with the Seattle School District to target school populations most in need of mentoring. This type of common-sense and community-oriented approach to solving a difficult education problem demonstrates the exact reason why I began this Innovation in Education Award program.

I think any of my colleagues would be hard pressed to prove the kind of program I am talking about here today could come from the innovation of a bureaucrat here in Washington, DC. Rather, it is the hard work of the people that look into the eyes of our children every day, the parents, the teachers, the school administrators, and the volunteers like those at Steps Ahead, who make a difference in the lives of our children.

I am pleased to have been able to recognize Steps Ahead and Community For Youth with an Innovation in Education Award. They represent the

ideals in education that deserve our support.●

TRUE AMERICAN HEROES: A SALUTE TO BOYD CLINES, LARRY ROGERS, AND MATT MOSELEY FOR THEIR BRAVERY AND COURAGE IN THE APRIL 12, 1999 DARING RESCUE OF IVERS SIMS

● Mr. CLELAND. Mr. President, I rise today to acknowledge and salute the heroism and bravery displayed during the brave and daring rescue of Ivers Sims by Atlanta firefighter Matt Moseley, Georgia Department of Natural Resources pilot Boyd Clines, and his navigator, Larry Rogers on April 12, 1999.

Many Americans watched this frightening drama unfold on television, and all prayed for a successful and joyous rescue. Last Monday afternoon, as members of the Atlanta City Fire Department fought a raging fire throughout the historic Fulton Bag and Cotton Mill in southeast Atlanta, Ivers Sims, a construction worker, found himself trapped on top of a swaying, 250-foot crane above the raging fire that had erupted in the mill. Boyd Clines and Larry Rogers arrived on the scene and miraculously negotiated their helicopter through the menacing wind, smoke, and fire which emanated from the cotton mill, while Atlanta firefighter, Matt Moseley, dangled from a rope near the flames—all working together to save the life of Mr. Sims.

Thanks to dedicated teamwork, amazing heroism, courage and valor in risking their own lives, these three brave men rescued Ivers Sims from above the flames, and moments later, all four safely returned to the ground. When I think of these three heroic Americans and their brave actions I am reminded of the words of Theodore Roosevelt who once said, ''Americanism means the virtues of courage, honor, justice, truth, sincerity, and hardihood—the virtues that made America.'' These three men have brought pride and honor to the State of Georgia and to the entire Nation. Boyd, Larry and Matt are true examples of the courage, honor, justice, truth, sincerity, and hardihood that this Nation is built upon, and are indeed great Americans!

I would like to salute all Atlanta firefighters, police officers and Sheriffs deputies who diligently worked together in order to fight the massive fire that engulfed the historic cotton mill. I would also like to praise the fire fighters throughout the Nation who, like Matt Moseley, put their lives on the line every day to protect and serve our communities. Mr. President, I ask that you and my colleagues join me in recognizing and honoring the heroism and bravery displayed by Boyd Clines, Larry Rogers, and Matt Moseley under the most dangerous of circumstances in saving the life of Ivers Sims.●

CONGRATULATING SCITUATE HIGH SCHOOL FOR ITS FIRST PLACE FINISH IN THE ''WE THE PEOPLE . . . THE CITIZEN AND THE CONSTITUTION'' STATE COMPETITION

● Mr. CHAFEE. Mr. President, on May 1st, fifteen outstanding students from Scituate High School in Rhode Island will visit Washington to begin their competition in the national finals of the ''We the People . . . The Citizen and the Constitution'' program.

For those of my colleagues who are not familiar with it, the ''We the People . . . The Citizen and the Constitution'' program is among the most extensive educational programs in the country focusing on citizenship. The program was developed specifically to ensure that young people understand the history and philosophy of the Constitution and the Bill of Rights. The three-day national competition simulates a congressional hearing in which students are given the opportunity to demonstrate their knowledge while they evaluate, take, and defend positions on historical and contemporary constitutional issues.

Administered by the Center for Civic Education, the ''We the People . . . The Citizen and the Constitution'' program provides an excellent opportunity for students to gain an informed perspective on the significance of the U.S. Constitution and its place in our history. It is heartwarming to see young Rhode Islanders taking such an active and participatory interest in public affairs.

I am very proud of Philip Amylon, Matthew Bilotti, Caitlin Bouchard, Jessica Bradbury, Kathleen Burdett, Jacqueline Gallo, Christopher Granatino, Thomas Hynes, Carolyn Jacobs, Danielle Lachance, Catherine Moser, Ross Mtangi, Christopher Natalizia, Ian Noonan, and Christina Rossi for making it to the national finals. I applaud this terrific group of young men and women for their hard work and perseverance. Also, Mr. President, I want to congratulate Amy Grundt, a fine teacher who deserves so much credit for guiding the Scituate High School team to the national finals.

Congratulations to Ms. Grundt and her students for what they have already achieved, and best of luck in the final competition. These students, with the guidance of Ms. Gundt, have learned what our Nation is all about and what countless men and women have fought and died to protect. No matter what the outcome of the contest is, they have each earned the greatest prize of all: knowledge.●

TRIBUTE TO KATHRYN HOLM OF THE FLORIDA ORCHESTRA

● Mr. GRAHAM. Mr. President, I rise to offer a tribute to an outstanding Floridian and a premier musician, Ms. Kathryn Holm, of The Florida Orchestra, will be recognized this evening at the Kennedy Center for the Performing Arts as ''Arts Administrator of the Year.''

As we prepare to begin a new millennium, we must remember that a key indicator of the health and well-being of any society has always been its treatment of the arts. Our society is one which admires its artists, and Ms. Holm has spent her career providing a basis for our reverence of music, working with The Florida Orchestra to transform sounds into majestic expressions.

Kathryn Holm joined The Florida Orchestra as a principal harpist in 1977. Some 17 years later, she was named executive of the orchestra, which was, at the time, heavily in debt.

Combining her musical talent with her business acumen, she was able to restore fiscal solvency to The Florida Orchestra. Her effective three-stage recovery plan earned Kathryn Holm the ''Jessie Ball DuPont Turnaround Award,'' while restoring credibility to the orchestra. Now in its fourth consecutive year without operating losses, The Florida Orchestra has boosted ticket sales, sponsorships and donations, and released its first compact disc.

Mr. President, I am honored to join the art world in applauding the leadership of Kathryn Holm on this special day.●

RECOGNIZING PEGGY O'NEILL-SKINNER FROM THE BUSH SCHOOL, SEATTLE, WA

● Mr. GORTON. Mr. President, during this past recess, I had the pleasure of presenting Innovation in Education Awards to two excellent recipients; the first of which I noted in a previous floor speech.

The second Innovation in Education Award went to Peggy O'Neill-Skinner, a truly remarkable science teacher at the Bush School in Seattle. Peggy has been a science teacher for 28 years and is doing outstanding work in helping her students learn the importance of biology and technology in today's world. Her years of devotion in teaching AP Biology, general biology, and numerous elective science courses have shown great dividends. In fact, at a larger education event at which this award was presented, my staff was approached by a number of attendees who had one universally similar point to share: ''my child went to Bush and Peggy is a truly remarkable teacher. She is the kind of teacher that can change a student's life and is a perfect fit for this award.'' Such praise needs no elaboration.

Last December, Peggy was given the prestigious Siemens Award for Advance Placement, one of only 20 award winners across the country. The Siemens Award recognizes excellence AP courses for math and science. By virtue of being selected with such a small number of her peers to receive such

recognition, Peggy's own accomplishments speak to her supererogatory nature.

Her devotion to her students and to pursuing her own continued education has paid great dividends with her students. Indeed, she spends her own summers teaching and learning at the University of Washington as well as the Fred Hutchinson Cancer Research Center. It is this kind of effort—to be the best possible educator one can be—that makes the education of all our children better.

I am pleased to have been able to give Peggy an Innovation in Education Award in recognition of her hard work, her dedication, and her devotion to making the lives of her students better. While Peggy teaches in a private school, she clearly demonstrates the common sense that permeates local educators in all of our constituencies. They can do amazing things if we make sure they have the resources to do so without the red tape that would otherwise stifle the learning of our children.

For too long the federal government has been in the business of placing burdensome regulations on our local schools. We have in Peggy O'Neill-Skinner an example of what educators can do without those restraints and we owe it to our children and grandchildren to let educators like Peggy reach their potential. That is why I will continue to fight hard on behalf of legislation that provides relief from red tape and brings more money into local classrooms where the people with real common sense to educate our children work everyday.●

RECOGNIZING APRIL 28, 1999, AS ''ILLINOIS STUDENT TECHNOLOGY DAY''

● Mr. DURBIN. Mr. President, I rise today to recognize April 28, 1999, as ''Illinois Student Technology Day.'' On that day, approximately 140 schools will participate in school technology demonstrations at the eighth annual Students for the Information Age program at the Illinois State Capitol Building in Springfield.

During this all-day event in the middle of National Science & Technology Week, over 300 Illinois students will demonstrate the important impact technology, and access to it, has had in their classrooms.

The advancements that have been made in technology, and the role it has played in increasing access to valuable information and resources, has improved the learning experience for many of our nation's students. Technology has clearly become a powerful instrument for enhancing the learning process. With the advent of the information age, it is more important than ever to expose students to technological innovations that will play a crucial role in their intellectual development. We need to redouble our efforts to ensure that more students, especially those in rural and impoverished areas, have access to these technological advancements.

I hope that we can look at what will take place in Springfield, IL, on April 28, 1999, as a sign of the continuing commitment to give our students the best possible opportunity to learn and succeed both in the classroom and in their later careers.●

RECOGNIZING THE TRI-CITY CRYSTAL APPLE AWARDS PROGRAM

● Mr. GORTON. Mr. President, as my colleagues may remember, each week I give an Innovation in Education Award to recognize outstanding educators and education programs in Washington State. The premise is very simple, that local people in our communities, not bureaucrats here in Washington, DC, know best how to educate our children.

As nominations for these awards have poured into my office, I received one noting the work of the program I will recognize today: the Tri-City Crystal Apple Awards. The Crystal Apple Awards is sponsored by local service groups, businesses, and individuals. The community comes together to recognize educators who have a positive impact on the lives and futures of their students.

Each educator nominated for this award has demonstrated that he or she has a special focus on students, has enthusiasm and versatility in meeting individual needs, creativity in their use of curriculum and resources, give special attention to creating a constructive learning environment, have the ability to develop parent support and respect, and have the ability to inspire students so the student may achieve their maximum potential in life. These are truly outstanding characteristics for any educator to have.

I commend the Crystal Apple Award program for recognizing the excellence that occurs in their midst. Too often today, educators of great merit go without recognition. Indeed, currently there is a heated debate occurring in Washington State regarding teacher pay and methods to improve compensation for these deserving educators. The Crystal Apple Awards are doing the right thing in teaming up with the community to recognize the people that are making the difference in their local schools. My only regret is that I am not able to be in Richland for the awards presentation.

I hope that the attendees of the Crystal Apple Awards ceremony will have a pleasant event. I hope too that my colleagues will recognize the excellence in education found in communities across our country. This issue energizes me in a special way. I am glad to stand up for what the educators in my State have wanted for a long time: the freedom to innovate. That is why I will work hard this year to allow local communities to decide how to best spend their Federal education dollars; giving people like the recipients of the Crystal Apple Awards the flexibility to teach our kids the way they—and only they—know best.●

TRIBUTE TO MARY MAIER

● Mr. KOHL. Mr. President, I rise today to honor Mary Maier, the associate director for the Wisconsin Rural Leadership Program. Mary will be retiring this month after an outstanding 26-year career with the University of Wisconsin Extension Service.

As a member of the Community Programs Division and then the Wisconsin Rural Leadership Program, Mary has demonstrated an unequaled passion and devotion to her work. Mary has worked as the associate director of the Wisconsin Rural Leadership Program since the program's inception in 1984. During this time she has helped make this one of the premier leadership training programs in the Nation. In 1988 she received the first Classified Staff Award for Excellence given by the University of Wisconsin Extension Service.

Mary's exceptional talent as a member of the Wisconsin Rural Leadership Training Program will be sorely missed by her colleagues. However, we all wish her the best in her retirement.●

Mrs. HUTCHISON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRAIG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CALENDAR

Mr. CRAIG. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration en bloc of the following measures reported by the Energy Committee: S. 361, Calendar No. 67; S. 426, Calendar No. 68; S. 430, Calendar No. 69; S. 449, Calendar No. 70; S. 330, Calendar No. 71.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRAIG. Mr. President, I ask unanimous consent that any committee amendments, if applicable, be agreed to, the bills be considered read the third time and passed, the motions to reconsider be laid upon the table, and that any statements relating to any of these bills be printed at the appropriate place in the RECORD, with the above occurring en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

DIRECTING SECRETARY OF THE INTERIOR TO TRANSFER PROPERTY IN BIG HORN COUNTY, WYOMING

The bill (S. 361) to direct the Secretary of the Interior to transfer to John R. and Margaret J. Lowe of Big

Horn County, Wyoming, certain land so as to correct an error in the patent issued to their predecessors in interest, was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

S. 361

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TRANSFER OF LOWE FAMILY PROPERTY.

(a) CONVEYANCE.—Subject to valid existing rights, the Secretary of the Interior is directed to issue, without consideration, a quitclaim deed to John R. and Margaret J. Lowe of Big Horn County, Wyoming, to the land described in subsection (b): *Provided,* That all minerals underlying such land are hereby reserved to the United States.

(b) LAND DESCRIPTION.—The land referred to in subsection (a) is the approximately 40-acre parcel located in the SW¼SE¼ of Section 11, Township 51 North, Range 96 West, 6th Principal Meridian, Wyoming.

HUNA TOTEM CORPORATION LAND EXCHANGE ACT

The Senate proceeded to consider the bill (S. 426) to amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Huna Totem Corporation, and for other purposes, which had been reported from the Committee on Energy and Resources, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

S. 426

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Huna Totem Corporation **[**Public Interest**]** Land Exchange Act''.

SEC. 2. AMENDMENT OF SETTLEMENT ACT.

The Alaska Native Claims Settlement Act (Public Law 92–203, December 18, 1971, 85 Stat. 688, 43 U.S.C. 1601, et seq.), as amended, is further amended by adding a new section to read:

"SEC. ___. HUNA TOTEM CORPORATION LAND EXCHANGE.

''(a) GENERAL.—In exchange for lands and interests therein described in subsection (b), the Secretary of Agriculture shall, subject to valid existing rights, convey to the Huna Totem Corporation the surface estate and to Sealaska Corporation the subsurface estate of the Federal lands identified by Huna Totem Corporation pursuant to subsection (c)**[**: Lands exchanged pursuant to this section shall be on the basis of equal value.**]**. *The values of the lands and interests therein exchanged pursuant to this section shall be equal.*

''(b) The surface estate to be conveyed by Huna Totem Corporation and the subsurface estate to be conveyed by Sealaska Corporation to the Secretary of Agriculture are the municipal watershed lands as shown on the map dated September 1, 1997, and labeled attachment A, and are further described as follows:

''MUNICIPAL WATERSHED AND GREENBELT BUFFER

''T43S, R61E, C.R.M.

''Portion of Section	Approximate Acres
16	2
21	610
22	227
23	35
26	447
27	400
33	202
34	76
Approximate total	1,999.

''(c) Within ninety (90) days of the receipt by the United States of the conveyances of the surface estate and subsurface estate described in subsection (b), Huna Totem Corporation shall be entitled to identify lands readily accessible to the Village of Hoonah and, where possible, located on the road system to the Village of Hoonah, as depicted on the map dated September 1, 1997, and labeled Attachment B. Huna Totem Corporation shall notify the Secretary of Agriculture in writing which lands Huna Totem Corporation has identified.

''(d) TIMING OF CONVEYANCE AND VALUATION.—The conveyance mandated by subsection (a) by the Secretary of Agriculture shall occur within ninety (90) days after the list of identified lands is submitted by Huna Totem Corporation pursuant to subsection (c).

''(e) TIMBER MANUFACTURING; EXPORT RESTRICTION.—Notwithstanding any other provision of law, timber harvested from land conveyed to Huna Totem Corporation under this section shall not be exported as unprocessed logs from Alaska, nor may Huna Totem Corporation sell, trade, exchange, substitute, or otherwise convey that timber to any person for the purpose of exporting that timber from the State of Alaska.

''(f) RELATION TO OTHER REQUIREMENTS.—The land conveyed to Huna Totem Corporation and Sealaska Corporation under this section shall be considered, for all purposes, land conveyed under the Alaska Native Claims Settlement Act.

''(g) MAPS.—The maps referred to in this section shall be maintained on file in the Office of the Chief, United States Forest Service, and in the Office of the Secretary of the Interior, Washington, D.C. The acreage cited in this section is approximate, and if there is any discrepancy between cited acreage and the land depicted on the specified maps, the maps shall control. The maps do not constitute an attempt by the United States to convey State or private land.''.

The committee amendments were agreed to.

The bill (S. 426), as amended, was read the third time and passed.

KAKE TRIBAL CORPORATION PUBLIC INTEREST LAND EXCHANGE ACT

The Senate proceeded to consider the bill (S. 430) to amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Kake Tribal Corporation, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted as shown in italics.)

S. 430

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Kake Tribal Corporation **[**Public Interest**]** Land Exchange Act''.

SEC. 2. AMENDMENT OF SETTLEMENT ACT.

The Alaska Native Claims Settlement Act (Public Law 92–203, December 18, 1971, 85 Stat. 688, 43 U.S.C. 1601 et seq.), as amended, is further amended by adding at the end thereof:

"SEC. ___. KAKE TRIBAL CORPORATION LAND EXCHANGE.

''(a) GENERAL.—In exchange for lands and interests therein described in subsection (b), the Secretary of Agriculture shall, subject to valid existing rights, convey to the Kake Tribal Corporation the surface estate and to Sealaska Corporation the subsurface estate of the Federal land identified by Kake Tribal Corporation pursuant to subsection (c)**[**: Lands exchanged pursuant to this section shall be on the basis of equal value..**]** *The values of the lands and interests therein exchanged pursuant to this section shall be equal.*

''(b) The surface estate to be conveyed by Kake Tribal Corporation and the subsurface estate to be conveyed by Sealaska Corporation to the Secretary of Agriculture are the municipal watershed lands as shown on the map dated September 1, 1997, and labeled Attachment A, and are further described as follows:

MUNICIPAL WATERSHED

COOPER RIVER MERIDIAN

T56S, R72E

Section	Aproximate acres
13	82
23	118
24	635
25	640
26	346
34	9
35	349
36	248
Approximate total	2,427

''(c) Within ninety (90) days of the receipt by the United States of the conveyances of the surface estate and the subsurface estate described in subsection (b), Kake Tribal Corporation shall be entitled to identify lands in the Hamilton Bay and Saginaw Bay areas, as depicted on the maps dated September 1, 1997, and labeled Attachments B and C. Kake Tribal Corporation shall notify the Secretary of Agriculture in writing which lands Kake Tribal Corporation has identified.

''(d) TIMING OF CONVEYANCE AND VALUATION.—The conveyance mandated by subsection (a) by the Secretary of Agriculture shall occur within ninety (90) days after the list of identified lands is submitted by Kake Tribal Corporation pursuant to subsection (c).

''(e) MANAGEMENT OF WATERSHED.—The Secretary of Agriculture shall enter into a Memorandum of Agreement with the City of Kake, Alaska, to provide for management of the municipal watershed.

''(f) TIMBER, MANUFACTURING; EXPORT RESTRICTION.—Notwithstanding any other provision of law, timber harvested from land conveyed to Kake Tribal Corporation under this section shall not be exported as unprocessed logs from Alaska, nor may Kake Tribal Corporation sell, trade, exchange, substitute, or otherwise convey that timber to any person for the purpose of exporting that timber from the State of Alaska.

''(g) RELATION TO OTHER REQUIREMENTS.—The land conveyed to Kake Tribal Corporation and Sealaska Corporation under this section shall be considered, for all purposes, land conveyed under the Alaska Native Claims Settlement Act.

''(h) MAPS.—The maps referred to in this section shall be maintained on file in the Office of the Chief, United States Forest Service, and in the Office of the Secretary of the Interior, Washington, D.C. The acreage cited in this section is approximate, and if there is

any discrepancy between cited acreage and the land depicted on the specified maps, the maps shall control. The maps do not constitute an attempt by the United States to convey State or private land.

The committee amendments were agreed to.

The bill (S. 430), as amended, was read the third time and passed.

DIRECTING SECRETARY OF THE INTERIOR TO TRANSFER PROPERTY IN BIG HORN COUNTY, WYOMING

The bill (S. 449) to direct the Secretary of the Interior to transfer to the personal representative of the estate of Fred Steffens of Big Horn County, Wyoming, certain land comprising the Steffens family property was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 449

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TRANSFER OF STEFFENS FAMILY PROPERTY.

(a) CONVEYANCE.—Subject to subsection (b) and valid existing rights, the Secretary of the Interior shall issue, without consideration, a quitclaim deed to Marie Wambeke of Big Horn County, Wyoming, the personal representative of the estate of Fred Steffens, to the land described in subsection (c).

(b) RESERVATION OF MINERALS.—All minerals underlying the land described in subsection (c) are reserved to the United States.

(c) LAND DESCRIPTION.—The land described in this subsection is the parcel comprising approximately 80 acres and known as ''Farm Unit C'' in the E½NW¼ of Section 27 in Township 57 North, Range 97 West, 6th Principal Meridian, Wyoming.

(d) REVOCATION OF WITHDRAWAL.—The withdrawal for the Shoshone Reclamation Project made by the Bureau of Reclamation under Secretarial Order dated October 21, 1913, is revoked with respect to the land described in subsection (c).

METHANE HYDRATE RESEARCH AND DEVELOPMENT ACT OF 1999

The bill (S. 330) to promote the research, identification, assessment, exploration, and development of methane hydrate resources, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 330

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Methane Hydrate Research and Development Act of 1999''.

SEC. 2. DEFINITIONS.

In this Act:

(1) CONTRACT.—The term ''contract'' means a procurement contract within the meaning of section 6303 of title 31, United States Code.

(2) COOPERATIVE AGREEMENT.—The term ''cooperative agreement'' means a cooperative agreement within the meaning of section 6305 of title 31, United States Code.

(3) GRANT.—The term ''grant'' means a grant awarded under a grant agreement, within the meaning of section 6304 of title 31, United States Code.

(4) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' means an institution of higher education, within the meaning of section 102(a)(1) of the Higher Education Act of 1965.

(5) METHANE HYDRATE.—The term ''methane hydrate'' means a methane clathrate that—

(A) is in the form of a methane-water ice-like crystalline material; and

(B) is stable and occurs naturally in deep-ocean and permafrost areas.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(7) SECRETARY OF DEFENSE.—The term ''Secretary of Defense'' means the Secretary of Defense, acting through the Secretary of the Navy.

(8) SECRETARY OF THE INTERIOR.—The term ''Secretary of the Interior'' means the Secretary of the Interior, acting through the Director of the United States Geological Survey.

(9) DIRECTOR.—The term ''Director'' means the Director of the National Science Foundation.

SEC. 3. METHANE HYDRATE RESEARCH AND DEVELOPMENT PROGRAM.

(a) IN GENERAL.—

(1) COMMENCEMENT OF PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Defense, the Secretary of the Interior, and the Director, shall commence a program of methane hydrate research and development.

(2) DESIGNATIONS.—The Secretary, the Secretary of Defense, the Secretary of the Interior, and the Director shall designate individuals to carry out this section.

(3) MEETINGS.—The individuals designated under paragraph (2) shall meet not later than 120 days after the date on which all such individuals are designated and not less frequently than every 120 days thereafter to—

(A) review the progress of the program under paragraph (1); and

(B) make recommendations on future activities to occur subsequent to the meeting.

(b) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—

(1) ASSISTANCE AND COORDINATION.—The Secretary may award grants or contracts to, or enter into cooperative agreements with, institutions of higher education and industrial enterprises to—

(A) conduct basic and applied research to identify, explore, assess, and develop methane hydrate as a source of energy;

(B) assist in developing technologies required for efficient and environmentally sound development of methane hydrate resources;

(C) undertake research programs to provide safe means of transport and storage of methane produced from methane hydrates;

(D) promote education and training in methane hydrate resource research and resource development;

(E) conduct basic and applied research to assess and mitigate the environmental impacts of hydrate degassing (including both natural degassing and degassing associated with commercial development); and

(F) develop technologies to reduce the risks of drilling through methane hydrates.

(2) CONSULTATION.—The Secretary may establish an advisory panel consisting of experts from industry, institutions of higher education, and Federal agencies to—

(A) advise the Secretary on potential applications of methane hydrate; and

(B) assist in developing recommendations and priorities for the methane hydrate research and development program carried out under subsection (a)(1).

(c) LIMITATIONS.—

(1) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the amount made available to carry out this section for a fiscal year may be used by the Secretary for expenses associated with the administration of the program carried out under subsection (a)(1).

(2) CONSTRUCTION COSTS.—None of the funds made available to carry out this section may be used for the construction of a new building or the acquisition, expansion, remodeling, or alteration of an existing building (including site grading and improvement and architect fees).

(d) RESPONSIBILITIES OF THE SECRETARY.—In carrying out subsection (b)(1), the Secretary shall—

(1) facilitate and develop partnerships among government, industry, and institutions of higher education to research, identify, assess, and explore methane hydrate resources;

(2) undertake programs to develop basic information necessary for promoting long-term interest in methane hydrate resources as an energy source;

(3) ensure that the data and information developed through the program are accessible and widely disseminated as needed and appropriate;

(4) promote cooperation among agencies that are developing technologies that may hold promise for methane hydrate resource development; and

(5) report annually to Congress on accomplishments under this section.

SEC. 4. AMENDMENT TO THE MINING AND MINERALS POLICY ACT OF 1970.

Section 201 of the Mining and Minerals Policy Act of 1970 (30 U.S.C. 1901) is amended—

(1) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively;

(2) by inserting after paragraph (5) the following:

''(6) The term 'methane hydrate' means a methane clathrate that—

''(A) is in the form of a methane-water ice-like crystalline material; and

''(B) is stable and occurs naturally in deep-ocean and permafrost areas.''; and

(3) in paragraph (7) (as redesignated by paragraph (1))—

(A) in subparagraph (F), by striking ''and'' at the end;

(B) by redesignating subparagraph (G) as subparagraph (H); and

(C) by inserting after subparagraph (F) the following:

''(G) methane hydrate; and''.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

MISSING, EXPLOITED, AND RUNAWAY CHILDREN PROTECTION ACT

Mr. CRAIG. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 27, S. 249.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 249) to provide funding for the National Center for Missing and Exploited Children, to reauthorize the Runaway and Homeless Youth Act, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment

to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Missing, Exploited, and Runaway Children Protection Act''.

SEC. 2. NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.

(a) FINDINGS.—Section 402 of the Missing Children's Assistance Act (42 U.S.C. 5771) is amended—

(1) in paragraph (7), by striking ''and'' at the end;

(2) in paragraph (8), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(9) for 14 years, the National Center for Missing and Exploited Children has—

''(A) served as the national resource center and clearinghouse congressionally mandated under the provisions of the Missing Children's Assistance Act of 1984; and

''(B) worked in partnership with the Department of Justice, the Federal Bureau of Investigation, the Department of the Treasury, the Department of State, and many other agencies in the effort to find missing children and prevent child victimization;

''(10) Congress has given the Center, which is a private non-profit corporation, access to the National Crime Information Center of the Federal Bureau of Investigation, and the National Law Enforcement Telecommunications System;

''(11) since 1987, the Center has operated the National Child Pornography Tipline, in conjunction with the United States Customs Service and the United States Postal Inspection Service and, beginning this year, the Center established a new CyberTipline on child exploitation, thus becoming 'the 911 for the Internet';

''(12) in light of statistics that time is of the essence in cases of child abduction, the Director of the Federal Bureau of Investigation in February of 1997 created a new NCIC child abduction ('CA') flag to provide the Center immediate notification in the most serious cases, resulting in 642 'CA' notifications to the Center and helping the Center to have its highest recovery rate in history;

''(13) the Center has established a national and increasingly worldwide network, linking the Center online with each of the missing children clearinghouses operated by the 50 States, the District of Columbia, and Puerto Rico, as well as with Scotland Yard in the United Kingdom, the Royal Canadian Mounted Police, INTERPOL headquarters in Lyon, France, and others, which has enabled the Center to transmit images and information regarding missing children to law enforcement across the United States and around the world instantly;

''(14) from its inception in 1984 through March 31, 1998, the Center has—

''(A) handled 1,203,974 calls through its 24-hour toll-free hotline (1–800–THE–LOST) and currently averages 700 calls per day;

''(B) trained 146,284 law enforcement, criminal and juvenile justice, and healthcare professionals in child sexual exploitation and missing child case detection, identification, investigation, and prevention;

''(C) disseminated 15,491,344 free publications to citizens and professionals; and

''(D) worked with law enforcement on the cases of 59,481 missing children, resulting in the recovery of 40,180 children;

''(15) the demand for the services of the Center is growing dramatically, as evidenced by the fact that in 1997, the Center handled 129,100 calls, an all-time record, and by the fact that its new Internet website (www.missingkids.com) receives 1,500,000 'hits' every day, and is linked with hundreds of other websites to provide real-time images of breaking cases of missing children;

''(16) in 1997, the Center provided policy training to 256 police chiefs and sheriffs from 50 States and Guam at its new Jimmy Ryce Law Enforcement Training Center;

''(17) the programs of the Center have had a remarkable impact, such as in the fight against infant abductions in partnership with the healthcare industry, during which the Center has performed 668 onsite hospital walk-throughs and inspections, and trained 45,065 hospital administrators, nurses, and security personnel, and thereby helped to reduce infant abductions in the United States by 82 percent;

''(18) the Center is now playing a significant role in international child abduction cases, serving as a representative of the Department of State at cases under The Hague Convention, and successfully resolving the cases of 343 international child abductions, and providing greater support to parents in the United States;

''(19) the Center is a model of public/private partnership, raising private sector funds to match congressional appropriations and receiving extensive private in-kind support, including advanced technology provided by the computer industry such as imaging technology used to age the photographs of long-term missing children and to reconstruct facial images of unidentified deceased children;

''(20) the Center was 1 of only 10 of 300 major national charities given an A+ grade in 1997 by the American Institute of Philanthropy; and

''(21) the Center has been redesignated as the Nation's missing children clearinghouse and resource center once every 3 years through a competitive selection process conducted by the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice, and has received grants from that Office to conduct the crucial purposes of the Center.''.

(b) DEFINITIONS.—Section 403 of the Missing Children's Assistance Act (42 U.S.C. 5772) is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(3) the term 'Center' means the National Center for Missing and Exploited Children.''.

(c) DUTIES AND FUNCTIONS OF THE ADMINISTRATOR.—Section 404 of the Missing Children's Assistance Act (42 U.S.C. 5773) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by striking subsection (b) and inserting the following:

''(b) ANNUAL GRANT TO NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.—

''(1) IN GENERAL.—The Administrator shall annually make a grant to the Center, which shall be used to—

''(A)(i) operate a national 24-hour toll-free telephone line by which individuals may report information regarding the location of any missing child, or other child 13 years of age or younger whose whereabouts are unknown to such child's legal custodian, and request information pertaining to procedures necessary to reunite such child with such child's legal custodian; and

''(ii) coordinate the operation of such telephone line with the operation of the national communications system referred to in part C of the Runaway and Homeless Youth Act (42 U.S.C. 5714–11);

''(B) operate the official national resource center and information clearinghouse for missing and exploited children;

''(C) provide to State and local governments, public and private nonprofit agencies, and individuals, information regarding—

''(i) free or low-cost legal, restaurant, lodging, and transportation services that are available for the benefit of missing and exploited children and their families; and

''(ii) the existence and nature of programs being carried out by Federal agencies to assist missing and exploited children and their families;

''(D) coordinate public and private programs that locate, recover, or reunite missing children with their families;

''(E) disseminate, on a national basis, information relating to innovative and model programs, services, and legislation that benefit missing and exploited children;

''(F) provide technical assistance and training to law enforcement agencies, State and local governments, elements of the criminal justice system, public and private nonprofit agencies, and individuals in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children; and

''(G) provide assistance to families and law enforcement agencies in locating and recovering missing and exploited children, both nationally and internationally.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this subsection, $10,000,000 for each of fiscal years 2000, 2001, 2002, 2003, and 2004.

''(c) NATIONAL INCIDENCE STUDIES.—The Administrator, either by making grants to or entering into contracts with public agencies or nonprofit private agencies, shall—

''(1) periodically conduct national incidence studies to determine for a given year the actual number of children reported missing each year, the number of children who are victims of abduction by strangers, the number of children who are the victims of parental kidnapings, and the number of children who are recovered each year; and

''(2) provide to State and local governments, public and private nonprofit agencies, and individuals information to facilitate the lawful use of school records and birth certificates to identify and locate missing children.''.

(d) NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.—Section 405(a) of the Missing Children's Assistance Act (42 U.S.C. 5775(a)) is amended by inserting ''the Center and with'' before ''public agencies''.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 408 of the Missing Children's Assistance Act (42 U.S.C. 5777) is amended by striking ''1997 through 2001'' and inserting ''2000 through 2004''.

SEC. 3. RUNAWAY AND HOMELESS YOUTH.

(a) FINDINGS.—Section 302 of the Runaway and Homeless Youth Act (42 U.S.C. 5701) is amended—

(1) in paragraph (5), by striking ''accurate reporting of the problem nationally and to develop'' and inserting ''an accurate national reporting system to report the problem, and to assist in the development of''; and

(2) by striking paragraph (8) and inserting the following:

''(8) services for runaway and homeless youth are needed in urban, suburban, and rural areas;''.

(b) AUTHORITY TO MAKE GRANTS FOR CENTERS AND SERVICES.—Section 311 of the Runaway and Homeless Youth Act (42 U.S.C. 5711) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) GRANTS FOR CENTERS AND SERVICES.—

''(1) IN GENERAL.—The Secretary shall make grants to public and nonprofit private entities (and combinations of such entities) to establish and operate (including renovation) local centers to provide services for runaway and homeless youth and for the families of such youth.

''(2) SERVICES PROVIDED.—Services provided under paragraph (1)—

''(A) shall be provided as an alternative to involving runaway and homeless youth in the law enforcement, child welfare, mental health, and juvenile justice systems;

''(B) shall include—

''(i) safe and appropriate shelter; and

''(ii) individual, family, and group counseling, as appropriate; and

''(C) may include—

''(i) street-based services;

''(ii) home-based services for families with youth at risk of separation from the family; and

''(iii) drug abuse education and prevention services.'';

(2) in subsection (b)(2), by striking ''the Trust Territory of the Pacific Islands,''; and

(3) by striking subsections (c) and (d).

(c) ELIGIBILITY.—Section 312 of the Runaway and Homeless Youth Act (42 U.S.C. 5712) is amended—

(1) in subsection (b)—

(A) in paragraph (8), by striking ''paragraph (6)'' and inserting ''paragraph (7)'';

(B) in paragraph (10), by striking ''and'' at the end;

(C) in paragraph (11), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(12) shall submit to the Secretary an annual report that includes, with respect to the year for which the report is submitted—

''(A) information regarding the activities carried out under this part;

''(B) the achievements of the project under this part carried out by the applicant; and

''(C) statistical summaries describing—

''(i) the number and the characteristics of the runaway and homeless youth, and youth at risk of family separation, who participate in the project; and

''(ii) the services provided to such youth by the project.''; and

(2) by striking subsections (c) and (d) and inserting the following:

''(c) APPLICANTS PROVIDING STREET-BASED SERVICES.—To be eligible to use assistance under section 311(a)(2)(C)(i) to provide street-based services, the applicant shall include in the plan required by subsection (b) assurances that in providing such services the applicant will—

''(1) provide qualified supervision of staff, including on-street supervision by appropriately trained staff;

''(2) provide backup personnel for on-street staff;

''(3) provide initial and periodic training of staff who provide such services; and

''(4) conduct outreach activities for runaway and homeless youth, and street youth.

''(d) APPLICANTS PROVIDING HOME-BASED SERVICES.—To be eligible to use assistance under section 311(a) to provide home-based services described in section 311(a)(2)(C)(ii), an applicant shall include in the plan required by subsection (b) assurances that in providing such services the applicant will—

''(1) provide counseling and information to youth and the families (including unrelated individuals in the family households) of such youth, including services relating to basic life skills, interpersonal skill building, educational advancement, job attainment skills, mental and physical health care, parenting skills, financial planning, and referral to sources of other needed services;

''(2) provide directly, or through an arrangement made by the applicant, 24-hour service to respond to family crises (including immediate access to temporary shelter for runaway and homeless youth, and youth at risk of separation from the family);

''(3) establish, in partnership with the families of runaway and homeless youth, and youth at risk of separation from the family, objectives and measures of success to be achieved as a result of receiving home-based services;

''(4) provide initial and periodic training of staff who provide home-based services; and

''(5) ensure that—

''(A) caseloads will remain sufficiently low to allow for intensive (5 to 20 hours per week) involvement with each family receiving such services; and

''(B) staff providing such services will receive qualified supervision.

''(e) APPLICANTS PROVIDING DRUG ABUSE EDUCATION AND PREVENTION SERVICES.—To be eligible to use assistance under section 311(a)(2)(C)(iii) to provide drug abuse education and prevention services, an applicant shall include in the plan required by subsection (b)—

''(1) a description of—

''(A) the types of such services that the applicant proposes to provide;

''(B) the objectives of such services; and

''(C) the types of information and training to be provided to individuals providing such services to runaway and homeless youth; and

''(2) an assurance that in providing such services the applicant shall conduct outreach activities for runaway and homeless youth.''.

(d) APPROVAL OF APPLICATIONS.—Section 313 of the Runaway and Homeless Youth Act (42 U.S.C. 5713) is amended to read as follows:

''SEC. 313. APPROVAL OF APPLICATIONS.

''(a) IN GENERAL.—An application by a public or private entity for a grant under section 311(a) may be approved by the Secretary after taking into consideration, with respect to the State in which such entity proposes to provide services under this part—

''(1) the geographical distribution in such State of the proposed services under this part for which all grant applicants request approval; and

''(2) which areas of such State have the greatest need for such services.

''(b) PRIORITY.—In selecting applications for grants under section 311(a), the Secretary shall give priority to—

''(1) eligible applicants who have demonstrated experience in providing services to runaway and homeless youth; and

''(2) eligible applicants that request grants of less than $200,000.''.

(e) AUTHORITY FOR TRANSITIONAL LIVING GRANT PROGRAM.—Section 321 of the Runaway and Homeless Youth Act (42 U.S.C. 5714–1) is amended—

(1) in the section heading, by striking ''PURPOSE AND'';

(2) in subsection (a), by striking ''(a)''; and

(3) by striking subsection (b).

(f) ELIGIBILITY.—Section 322(a)(9) of the Runaway and Homeless Youth Act (42 U.S.C. 5714–2(a)(9)) is amended by inserting '', and the services provided to such youth by such project,'' after ''such project''.

(g) COORDINATION.—Section 341 of the Runaway and Homeless Youth Act (42 U.S.C. 5714–21) is amended to read as follows:

''SEC. 341. COORDINATION.

''With respect to matters relating to the health, education, employment, and housing of runaway and homeless youth, the Secretary—

''(1) in conjunction with the Attorney General, shall coordinate the activities of agencies of the Department of Health and Human Services with activities under any other Federal juvenile crime control, prevention, and juvenile offender accountability program and with the activities of other Federal entities; and

''(2) shall coordinate the activities of agencies of the Department of Health and Human Services with the activities of other Federal entities and with the activities of entities that are eligible to receive grants under this title.''.

(h) AUTHORITY TO MAKE GRANTS FOR RESEARCH, EVALUATION, DEMONSTRATION, AND SERVICE PROJECTS.—Section 343 of the Runaway and Homeless Youth Act (42 U.S.C. 5714–23) is amended—

(1) in the section heading, by inserting ''EVALUATION,'' after ''RESEARCH,'';

(2) in subsection (a), by inserting ''evaluation,'' after ''research,''; and

(3) in subsection (b)—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) through (10) as paragraphs (2) through (9), respectively.

(i) ASSISTANCE TO POTENTIAL GRANTEES.—Section 371 of the Runaway and Homeless Youth Act (42 U.S.C. 5714a) is amended by striking the last sentence.

(j) REPORTS.—Section 381 of the Runaway and Homeless Youth Act (42 U.S.C. 5715) is amended to read as follows:

''SEC. 381. REPORTS.

''(a) IN GENERAL.—Not later than April 1, 2000, and biennially thereafter, the Secretary shall submit, to the Committee on Education and the Workforce of the House of Representatives and the Committee on the Judiciary of the Senate, a report on the status, activities, and accomplishments of entities that receive grants under parts A, B, C, D, and E, with particular attention to—

''(1) in the case of centers funded under part A, the ability or effectiveness of such centers in—

''(A) alleviating the problems of runaway and homeless youth;

''(B) if applicable or appropriate, reuniting such youth with their families and encouraging the resolution of intrafamily problems through counseling and other services;

''(C) strengthening family relationships and encouraging stable living conditions for such youth; and

''(D) assisting such youth to decide upon a future course of action; and

''(2) in the case of projects funded under part B—

''(A) the number and characteristics of homeless youth served by such projects;

''(B) the types of activities carried out by such projects;

''(C) the effectiveness of such projects in alleviating the problems of homeless youth;

''(D) the effectiveness of such projects in preparing homeless youth for self-sufficiency;

''(E) the effectiveness of such projects in assisting homeless youth to decide upon future education, employment, and independent living;

''(F) the ability of such projects to encourage the resolution of intrafamily problems through counseling and development of self-sufficient living skills; and

''(G) activities and programs planned by such projects for the following fiscal year.

''(b) CONTENTS OF REPORTS.—The Secretary shall include in each report submitted under subsection (a), summaries of—

''(1) the evaluations performed by the Secretary under section 386; and

''(2) descriptions of the qualifications of, and training provided to, individuals involved in carrying out such evaluations.''.

(k) EVALUATION.—Section 384 of the Runaway and Homeless Youth Act (42 U.S.C. 5732) is amended to read as follows:

''SEC. 386. EVALUATION AND INFORMATION.

''(a) IN GENERAL.—If a grantee receives grants for 3 consecutive fiscal years under part A, B, C, D, or E (in the alternative), then the Secretary shall evaluate such grantee on-site, not less frequently than once in the period of such 3 consecutive fiscal years, for purposes of—

''(1) determining whether such grants are being used for the purposes for which such grants are made by the Secretary;

''(2) collecting additional information for the report required by section 383; and

''(3) providing such information and assistance to such grantee as will enable such grantee to improve the operation of the centers, projects, and activities for which such grants are made.

''(b) COOPERATION.—Recipients of grants under this title shall cooperate with the Secretary's efforts to carry out evaluations, and to collect information, under this title.''.

(l) AUTHORIZATION OF APPROPRIATIONS.—Section 385 of the Runaway and Homeless Youth Act (42 U.S.C. 5751) is amended to read as follows:

''SEC. 388. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—

''(1) AUTHORIZATION.—There is authorized to be appropriated to carry out this title (other than part E) such sums as may be necessary for fiscal years 2000, 2001, 2002, 2003, and 2004.

''(2) ALLOCATION.—

''(A) PARTS A AND B.—From the amount appropriated under paragraph (1) for a fiscal year, the Secretary shall reserve not less than 90 percent to carry out parts A and B.

''(B) PART B.—Of the amount reserved under subparagraph (A), not less than 20 percent, and not more than 30 percent, shall be reserved to carry out part B.

''(3) PARTS C AND D.—In each fiscal year, after reserving the amounts required by paragraph (2), the Secretary shall use the remaining amount (if any) to carry out parts C and D.

''(b) SEPARATE IDENTIFICATION REQUIRED.—No funds appropriated to carry out this title may be combined with funds appropriated under any other Act if the purpose of combining such funds is to make a single discretionary grant, or a single discretionary payment, unless such funds are separately identified in all grants and contracts and are used for the purposes specified in this title.''.

(m) SEXUAL ABUSE PREVENTION PROGRAM.—

(1) AUTHORITY FOR PROGRAM.—The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended—

(A) by striking the heading for part F;

(B) by redesignating part E as part F; and

(C) by inserting after part D the following:

''PART E—SEXUAL ABUSE PREVENTION PROGRAM

''SEC. 351. AUTHORITY TO MAKE GRANTS.

''(a) IN GENERAL.—The Secretary may make grants to nonprofit private agencies for the purpose of providing street-based services to runaway and homeless, and street youth, who have been subjected to, or are at risk of being subjected to, sexual abuse, prostitution, or sexual exploitation.

''(b) PRIORITY.—In selecting applicants to receive grants under subsection (a), the Secretary shall give priority to nonprofit private agencies that have experience in providing services to runaway and homeless, and street youth.''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 388(a) of the Runaway and Homeless Youth Act (42 U.S.C. 5751), as amended by subsection (l) of this section, is amended by adding at the end the following:

''(4) PART E.—There is authorized to be appropriated to carry out part E such sums as may be necessary for fiscal years 2000, 2001, 2002, 2003, and 2004.''.

(n) DEFINITIONS.—The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended by inserting after section 386, as amended by subsection (k) of this section, the following:

''SEC. 387. DEFINITIONS.

''In this title:

''(1) DRUG ABUSE EDUCATION AND PREVENTION SERVICES.—The term 'drug abuse education and prevention services'—

''(A) means services to runaway and homeless youth to prevent or reduce the illicit use of drugs by such youth; and

''(B) may include—

''(i) individual, family, group, and peer counseling;

''(ii) drop-in services;

''(iii) assistance to runaway and homeless youth in rural areas (including the development of community support groups);

''(iv) information and training relating to the illicit use of drugs by runaway and homeless youth, to individuals involved in providing services to such youth; and

''(v) activities to improve the availability of local drug abuse prevention services to runaway and homeless youth.

''(2) HOME-BASED SERVICES.—The term 'home-based services'—

''(A) means services provided to youth and their families for the purpose of—

''(i) preventing such youth from running away, or otherwise becoming separated, from their families; and

''(ii) assisting runaway youth to return to their families; and

''(B) includes services that are provided in the residences of families (to the extent practicable), including—

''(i) intensive individual and family counseling; and

''(ii) training relating to life skills and parenting.

''(3) HOMELESS YOUTH.—The term 'homeless youth' means an individual—

''(A) who is—

''(i) not more than 21 years of age; and

''(ii) for the purposes of part B, not less than 16 years of age;

''(B) for whom it is not possible to live in a safe environment with a relative; and

''(C) who has no other safe alternative living arrangement.

''(4) STREET-BASED SERVICES.—The term 'street-based services'—

''(A) means services provided to runaway and homeless youth, and street youth, in areas where they congregate, designed to assist such youth in making healthy personal choices regarding where they live and how they behave; and

''(B) may include—

''(i) identification of and outreach to runaway and homeless youth, and street youth;

''(ii) crisis intervention and counseling;

''(iii) information and referral for housing;

''(iv) information and referral for transitional living and health care services;

''(v) advocacy, education, and prevention services related to—

''(I) alcohol and drug abuse;

''(II) sexual exploitation;

''(III) sexually transmitted diseases, including human immunodeficiency virus (HIV); and

''(IV) physical and sexual assault.

''(5) STREET YOUTH.—The term 'street youth' means an individual who—

''(A) is—

''(i) a runaway youth; or

''(ii) indefinitely or intermittently a homeless youth; and

''(B) spends a significant amount of time on the street or in other areas that increase the risk to such youth for sexual abuse, sexual exploitation, prostitution, or drug abuse.

''(6) TRANSITIONAL LIVING YOUTH PROJECT.—The term 'transitional living youth project' means a project that provides shelter and services designed to promote a transition to self-sufficient living and to prevent long-term dependency on social services.

''(7) YOUTH AT RISK OF SEPARATION FROM THE FAMILY.—The term 'youth at risk of separation from the family' means an individual—

''(A) who is less than 18 years of age; and

''(B)(i) who has a history of running away from the family of such individual;

''(ii) whose parent, guardian, or custodian is not willing to provide for the basic needs of such individual; or

''(iii) who is at risk of entering the child welfare system or juvenile justice system as a result of the lack of services available to the family to meet such needs.''.

(o) REDESIGNATION OF SECTIONS.—Sections 371, 372, 381, 382, and 383 of the Runaway and Homeless Youth Act (42 U.S.C. 5714b–5851 et seq.), as amended by this title, are redesignated as sections 381, 382, 383, 384, and 385, respectively.

(p) TECHNICAL AMENDMENTS.—The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended—

(1) in section 331, in the first sentence, by striking ''With'' and all that follows through ''the Secretary'', and inserting ''The Secretary''; and

(2) in section 344(a)(1), by striking ''With'' and all that follows through ''the Secretary'', and inserting ''The Secretary''.

Mr. HATCH. Mr. President, I am proud that the Senate is now considering S. 249, the Missing, Exploited, and Runaway Children Protection Act of 1999. First, I would like to thank my colleague, the distinguished Senator from Vermont, Senator LEAHY, for his hard work and dedication in advancing this important legislation. I also want to pay tribute to the cosponsors of S. 249, Senators DEWINE, GRAMS, ASHCROFT, ABRAHAM, and BIDEN. This bill, which was reported out of the Judiciary Committee on a unanimous vote, reauthorizes two vital laws that serve a crucial line of defense in support of some of the most vulnerable members of our society—thousands of missing, exploited, homeless, or runaway children. It is a tragedy in our Nation that each year there are as many as over 114,000 attempted child abductions, 4,500 child abductions reported to the police, 450,000 children who run away, and 438,000 children who are lost, injured, or missing. I am told that this is a growing problem even in my State of Utah.

Families who have written to me have shared the pain of a lost or missing child. While missing, lost, on the run, or abducted, each of these children is at high risk of falling into the darkness of drug abuse, sexual abuse and exploitation, pain, hunger, and injury. Each of these children is precious, and deserves our efforts to save them.

Our bill reauthorizes and improves the Missing Children's Assistance Act and the Runaway and Homeless Youth Act. First, our bill revises the Missing Children's Assistance Act in part by recognizing the outstanding record of achievements of this National Center for Missing and Exploited Children. It will enable NCMEC to provide even greater protection of our Nation's children in the future. Second, our bill reauthorizes and revitalizes the Runaway and Homeless Youth Act.

At the heart of the bill's amendments to the Missing Children's Assistance Act is an enhanced authorization of appropriations for the National Center for Missing and Exploited Children. Under the authority of the Missing Children's Assistance Act, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) has selected and given grants to the Center for the last fourteen years to operate a national resource center located in Arlington, Virginia and a national 24-hour toll-free telephone line. Today, the National Runaway Switchboard, which is a communications system designed to assist runaway youth and their families, responds to 150,000 calls a year. The Center provides invaluable assistance and training to law enforcement around the country in cases of missing and exploited children. Through the Center's work in FY 1997, almost 36,000 youth received food, 35,000 acquired shelter, over 22,000 obtained transportation home, 21,000 received substance abuse prevention services, and almost 18,000 received clothing. The Center's record is quite impressive, and its efforts have led directly to a significant increase in the percentage of missing children who are recovered safely.

In fiscal year 1999, the Center received an earmark of $8.12 million in the Departments of Commerce, Justice, and State Appropriations conference report. In addition, the Center's Jimmy Ryce Training Center received $1.25 million.

This legislation continues and formalizes NCMEC's long partnership with the Justice Department and OJJDP, by directing OJJDP to make an annual grant to the Center, and authorizing annual appropriations of $10 million for fiscal years 1999 through 2004.

NCMEC's exemplary record of performance and success, as demonstrated by the fact that NCMEC's recovery rate has climbed from 62% to 91%, justifies action by Congress to formally recognize it as the nation's official missing and exploited children's center, and to authorize a line-item appropriation. This bill will enable the Center to focus completely on its missions, without expending the annual effort to obtain authority and grants from OJJDP. It also will allow the Center to expand its longer-term arrangements with domestic and foreign law enforcement entities. By providing an authorization, the bill also will allow for better congressional oversight of the Center.

The record of the Center, described briefly below, demonstrates the appropriateness of this authorization. For fourteen years, the Center has served as the national resource center and clearinghouse mandated by the Missing Children's Assistance Act. The Center has worked in partnership with the Department of Justice, the Federal Bureau of Investigation, the Department of Treasury, the State Department, and many other federal and state agencies in the effort to find missing children and prevent child victimization.

The trust the federal government has placed in NCMEC, a private, non-profit corporation, is evidenced by its unique access to the FBI's National Crime Information Center, and the National Law Enforcement Telecommunications System (NLETS).

NCMEC has utilized the latest in technology, such as operating the National Child Pornography Tipline, establishing its new Internet website, www.missingkids.com, which is linked with hundreds of other websites to provide real-time images of breaking cases of missing children, and, beginning this year, establishing a new Cyber Tipline on child exploitation.

NCMEC has established a national and increasingly worldwide network, linking NCMEC online with each of the missing children clearinghouses operated by the 50 states, the District of Columbia and Puerto Rico. In addition, NCMEC works constantly with international law enforcement authorities such as Scotland Yard in the United Kingdom, the Royal Canadian Mounted Police, INTERPOL headquarters in Lyon, France, and others. This network enables NCMEC to transmit images and information regarding missing children to law enforcement across America and around the world instantly. NCMEC also serves as the U.S. State Department's representative at child abduction cases under the Hague Convention.

The record of NCMEC is demonstrated by the 1,203,974 calls received at its 24-hour toll-free hotline, 1(800)THE LOST, the 146,284 law enforcement, criminal/juvenile justice, and health care professionals trained, the 15,491,344 free publications distributed, and, most importantly, by its work on 59,481 cases of missing children, which has resulted in the recovery of 40,180 children. Each of these figures represents the activity of NCMEC through Spring, 1998. NCMEC is a shining example of the type of public-private partnership the Congress should encourage and recognize.

The second part of our bill reforms and streamlines the Runaway and Homeless Youth Act, targeting federal assistance to areas with the greatest need, and making numerous technical changes. According to the National Network for Youth, the Runaway and Homeless Youth Act provides ''critical assistance to youth in high-risk situations all over the country.'' Its three programs, discussed in more detail below, benefit those children truly in need and at high risk of becoming addicted to drugs, sexually exploited or abused, or involved in criminal behavior.

The cornerstone of the Runaway and Homeless Youth Act is the Basic Center Program which provides grants for temporary shelter and counseling for children under age 18. My home state of Utah received over $378,000 in grants in FY 1998 under this program, and I have received requests from Utah organizations such as the Baker Youth Service Home to reauthorize this important program. Cities such as Provo, Ogden, Cedar City, and Salt Lake City have received funding under the grants. Since 1993, at least 5,000 youths have received assistance in Utah.

Community-based organizations also may request grants under the two related programs, the Transitional Living and the Sexual Abuse Prevention/Street Outreach programs. The Transitional Living grants provide longer term housing to homeless teens aged 16 to 21, and aim to move these teens to self-sufficiency and to avoid long-term dependency on public assistance. The Sexual Abuse Prevention/Street Outreach Program targets homeless teens potentially involved in high risk behaviors.

In addition, the amendment reauthorizes the Runaway and Homeless Youth Act Rural Demonstration Projects which provide assistance to rural juvenile populations, such as in my state of Utah. Finally, the amendment makes several technical corrections to fix prior drafting errors in the Runaway and Homeless Youth Act.

The provisions of this bill will strengthen our commitment to our youth. The children helped by this legislation are not nameless, faceless statistics. They are children from every State and from each of our hometowns who are lost, sometimes abused, and frequently scared. Too often, no one takes the time to care. The Missing Children's Assistance Act and the Runaway and Homeless Youth Act fund programs in every State run by dedicated staff and volunteers who take the time to care. I urge my colleagues to support this legislation, which will strengthen the Missing Children's Assistance Act, the National Center for Missing and Exploited Children, and the Runaway and Homeless Youth Act, and thus improve the safety and the lives of our Nation's most vulnerable children.

Mr. LEAHY. Mr. President, I am delighted that the Senate is considering the Leahy-Hatch substitute to S. 249, the ''Missing, Exploited, and Runaway Children Protection Act,'' which will reauthorize programs under the Runaway and Homeless Youth Act and authorize funding for the National Center for Missing and Exploited Children.

This bill authorizes a variety of critical programs for our nation's most at risk children and youth—those who are missing or have been exploited and those who have run away or been forced from home or are homeless. That is why I am particularly pleased that Senator HATCH and I were able to work together and with Senator BIDEN, DEWINE and ABRAHAM in the Judiciary Committee to report our substitute amendment without a single objection in early March. These children need our help, not partisan bickering, and I hope the House of Representatives will follow our lead and enact this bill promptly.

I have been working since 1996 to enact legislation to reauthorize the Runaway and Homeless Youth Act. Unfortunately, that Act has been without clear authorization since then. It is past time for Congress to remedy this situation. Last Congress, I worked hard to pass a similar bill, S. 2073, which would have reauthorized the Runaway and Homeless Youth Act and would have provided special authorization for the National Center for Missing and Exploited Children (''NCMEC''). With the assistance of Senators KENNEDY, BIDEN, KOHL, and FEINGOLD, Senator HATCH and I reported S. 2073 from the Judiciary Committee to the Senate in May 1998. That bill passed the Senate with the unanimous consent of all Senators on June 26, 1998.

Rather than consider the Senate bill last year, the House of Representatives chose to use our bill number as a vehicle to try to force Senate action on controversial juvenile justice matters that had never been considered by the Senate Judiciary Committee or the full Senate. Thereafter, I worked to attach the provisions of our original and noncontroversial bill as an amendment to other legislation. Even when we were successful in the Senate, certain House

Republicans continued to block all of our efforts.

I am optimistic that S. 249, this year's bill, will not face the same fate. With such an array of supporters in the Senate, surely the House will also see fit to pass this legislation quickly so that the critical programs in the bill can be funded and implemented.

I am particularly pleased that we have passed this bill with such strong bipartisan support. Reauthorizing the Runaway and Homeless Youth Act for five more years is the first step in assuring local community programs that they will have the resources they need to assist runaway youth and their families. And, today's bill will also help the NCMEC to continue their good work by providing them with a special authorization of appropriations for five years as well. These programs are just the sort that studies have found to be effective and efficient uses of limited federal dollars.

The National Center for Missing and Exploited Children provides extremely worthwhile and effective assistance to children and families facing crises across the U.S. and around the world. In 1998, the National Center helped law enforcement officers locate over 5,000 missing children. They also handled 132,357 telephone calls to their hotline, which included calls to report a missing child, to request information or assistance and to provide leads on missing or potentially exploited children. This figure includes 10,904 reported leads or sightings of missing children, an increase of 25 percent over such leads in 1997.

Since 1984, the National Center has helped investigate 83 cases involving Vermont children who have been reported missing. They have had extraordinary success in resolving these cases, some of which have taken several years and have involved out of state or international negotiations, and have only one unresolved case at this time. I want to thank Ernie Allen and all the dedicated employees and volunteers associated with the National Center for their help in these matters.

The National Center serves a critical role as a clearinghouse of resources and information for both family members and law enforcement officers. They have developed a network of hotels and restaurants which will provide free services to parents in search of their children and have also developed extensive training programs. The National Center has trained 728 sheriffs and police chiefs from across the U.S. in recent years, including police chiefs from Dover, Hartford, Brattleboro and Winooski, Vermont, as well as members of the Vermont State Police. They have trained an additional 150,000 other officers in child sexual exploitation and the detection of missing children since 1984.

The National Center is also a leader in reducing the number of infant abductions by educating nurses, security staffs and hospitals. Their recent seminar in Vermont, which trained 250 nurses and security personnel, should provide greater peace of mind to new parents in my home State.

Most recently, they have expanded their role in combating the sexual exploitation of children by going on-line. Last year, they launched their ''CyberTipline'' which allows internet users to report suspicious activities linked to the Internet, including child pornography and the potential enticement of children on-line. In the second half of 1998, they received over 4,000 leads from the CyberTipline which resulted in numerous arrests. I applaud the ongoing work of the Center and hope the House of Representatives will promptly pass this bill so that they can proceed with their important activities with fewer funding concerns.

The National Center established an international division some time ago and has been working to fulfil the Hague Convention on the Civil Aspects of International Child Abduction. Last year the National Center held a conference on international concerns with child abductions and international custody battles between separated parents from different countries. This week, Lady Catherine Myer will be hosting another important event on these matters and launching an International Centre for Missing and Exploited Children with the help of the First Lady, Hillary Rodham Clinton.

The Runaway and Homeless Youth Act distributes funding to local community programs on the front lines assisting the approximately 1.3 million children and youth each year who are homeless or have left or been forced from their families for a variety of reasons. These programs assist some of our nation's neediest children—those who lack a roof over their heads. Many of the beneficiaries of these programs have either fled or been kicked out of their family homes due to serious family conflicts, substance abusing parents or other problems. These programs assist children facing a variety of circumstances and provide funding for shelters and crisis intervention services, transitional living arrangements and outreach to teens who are living on the streets.

J.C. Myers, Coordinator of the Vermont Coalition of Runaway and Homeless Youth Programs, noted recently in a letter to me that:

> Early interventions such as those authorized under this act: the transitional living programs, crisis response and family reunification services, and peer street outreach programs are, in many cases, the only helping resource available to runaway & homeless young people and families in crisis. These services are much less costly and more effective than later, more drastic interventions runaway and homeless youths often eventually encounter, such as substance abuse treatment and incarceration.

Miriam Rollin, the Director of Public Policy at the National Network for Youth has noted:

> Because runaway and homeless youth often cross state lines, there is a uniquely federal interest in addressing the needs of these youth. For a quarter of a century, the federal RHYA programs have helped to meet the needs of these young people, prevent their involvement in criminal activity, and provide them with a doorway to a safe and productive future.

I ask unanimous consent that copies of both of their letters be printed in the RECORD at the conclusion of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered. (See Exhibit 1.)

Under the Runaway and Homeless Youth Act, each year each State is awarded a Basic Center grant for housing and crisis services for runaway and homeless children and their families. The funding is based on its juvenile population, with a minimum grant of $100,000 currently awarded to smaller States, such as Vermont. Effective community-based programs around the country can also apply directly for the funding available for the Transitional Living Program and the Sexual Abuse Prevention/Street Outreach grants. The Transitional Living Program grants are used to provide longer term housing to homeless teens age 16 to 21, and to help these teenagers become more self-sufficient. The Sexual Abuse Prevention/Street Outreach Program also targets teens who have engaged in or are at risk of engaging in high risk behaviors while living on the street.

Vermont's Coalition for Runaway and Homeless Youth and the Spectrum Youth and Family Services in Burlington, Vermont, have developed very comprehensive and effective programs to assist both teens who are learning to be self-sufficient and those who are struggling to survive on the streets. As such, Vermont programs have been successful in applying for these two specialized programs and have been on the forefront of developing and improving the services available to runaway and homeless youth across the U.S.

The Leahy-Hatch substitute language to S. 249 that was reported from the Judiciary Committee is intended to recognize the important work of these programs in Vermont, as well as the many other programs and staff across the U.S. that are working effectively with runaway and homeless youth and their families. This substitute language preserves current law governing the minimum grants available for small States for the Basic Center grants and also preserves the current confidentiality and records protections for runaway and homeless youth.

In addition, our substitute amendment reauthorizes the Runaway and Homeless Youth Act Rural Demonstration Projects for an additional five years. This program provides targeted assistance to States with rural juvenile populations. Programs serving runaway and homeless youth have found that those in rural areas are particularly difficult to reach and serve effectively.

For those who do not think rural areas have significant numbers of runaway youth, I note that in fiscal year

1998, the Vermont Coalition of Runaway and Homeless Youth Programs and Spectrum Youth & Family Services served 1,067 young people and 1,345 family members in their programs throughout Vermont. This was an 8 percent increase in cases from fiscal year 1997. These numbers have been increasing rapidly over the past few years with a 175 percent increase in the number of youth served by the Vermont Coalition between 1992 and 1998. An area of special concern is the increasing number of young people who are being ''pushed'' out of their homes—those numbers increased 263 percent between 1993 and 1997 in Vermont. This is in addition to the hundreds of children each year who find themselves homeless or who have run away from home.

The Runaway and Homeless Youth Act does more than shelter these children in need. As the National Network for Youth has stressed, the Act's programs ''provide critical assistance to youth in high-risk situations all over the country.'' This Act also ensures that these children and their families have access to important services, such as individual, family or group counseling, alcohol and drug counseling and a myriad of other resources to help these young people and their families get back on track. As a result of this multi-pronged approach to helping runaway and homeless youth, the Vermont Coalition of Runaway and Homeless Youth was able to establish 81 percent of the youth served in 1998 in a ''positive living situation'' by the end of services. The Vermont Coalition and Spectrum Youth & Family Services should be applauded for their important work and I believe the best way to do that is to reauthorize the Runaway and Homeless Act for five more years, so programs like these in Vermont have some greater financial security in the future.

I want to thank the many advocates who have worked with me to improve the bill and, in particular, the dedicated members of the Vermont Coalition of Runaway and Homeless Youth Programs and the National Network for Youth for their suggestions and assistance. Without these dedicated public spirited citizens these programs could not be successful.

EXHIBIT 1

VERMONT COALITION OF RUNAWAY AND HOMELESS YOUTH PROGRAMS,
Montpelier, VT, March 9, 1999.

Hon. PATRICK LEAHY,
U.S. Senator, Committee on the Judiciary, Washington, DC.

DEAR SENATOR LEAHY: Thank you very much for your efforts in working for the reauthorization of the Runaway and Homeless Youth Act. We believe that reauthorization of this legislation is very important for runaway and homeless youths and their families in Vermont, and all over the nation.

Early interventions such as those authorized under this act: the transitional living programs, crisis response and family reunification services, and peer street outreach programs are, in many cases, the only helping resource available to runaway and homeless young people and families in crisis. These services are much less costly and more effective than later, more drastic interventions runaway and homeless youths often eventually encounter, such as substance abuse treatment and incarceration.

The Vermont Coalition of Runaway and Homeless Youth Programs supports the Leahy-Hatch substitute to S–249, the Bill which passed the Senate Judiciary Committee on March 4th, 1999. We urge passage of this Bill by the full Senate, and feel confident that our colleagues at the National Network for Youth, and runaway and homeless youth providers all over the country also support this important legislation.

We are very grateful for the way that you and your staff have worked with us to determine the needs of this vulnerable population, and the way that we can best address those needs. Karen Marangi, counsel for your office, has been diligent in her efforts to meet with us and our youthful program participants, keep us informed about your actions in Committee, and use the data which we have provided to help steer the best course. We commend you for your vision and energy in pursuing the reauthorization of the Runaway and Homeless Youth Act. Please let us know if we can be helpful to you as you continue this good work.

Sincerely,

J.C. MYERS,
VCRHYP Coordinator.

NATIONAL NETWORK FOR YOUTH,
Washington, DC, March 10, 1999.

Senator ORRIN HATCH,
U.S. Senate,
Washington, DC.

Senator PATRICK LEAHY,
U.S. Senate,
Washington, DC.

DEAR SENATOR HATCH AND SENATOR LEAHY: On behalf of the hundreds of non-profit youth-serving organizations, youth workers and young people from around the nation who constitute the membership of the National Network for Youth, I would like to express our deep appreciation for your leadership in moving the revised Hatch/Leahy substitute version of S. 249—legislation to reauthorize the Runaway and Homeless Youth Act, together with the Missing Children's Assistance Act—through the Senate Judiciary Committee last week, and to express our hope that your continued leadership on this legislation will enable it to move to swift approval by the full Senate.

The Runaway and Homeless Youth Act (RHYA) programs support community-based efforts that constitute a vital life-line to young people in high-risk situations all over the country. As you know, the RHYA includes three major grant programs: the Basis Center Program, which provides grants to support temporary shelter for youth (under age 18) and counseling for youth and their families, in order to assist them in a time of crisis; the Transitional Living Program, which provides grants to support longer-term (up to 18 months) shelter as well as independent living services to youth (age 16–21) who are unable to return home safely, in order to promote their successful transition to adulthood and self-sufficiency; and the Street Outreach Program, which provides grants to support street-based outreach and education to runaway, homeless and street youth who have been sexually abused or are at risk of sexual abuse, in order to connect these most vulnerable youth with services and a chance for a safe and healthy future.

The following are a few key points about runaway and homeless youth—and the programs which provide them critical supports and opportunities—which you may consider as you move this legislation to the Senate floor:

Runaway and homeless youth are not running TO anything; they're running FROM homes where they have experienced extreme parental neglect, sexual abuse, physical abuse, or other situations like family violence or parental alcoholism or substance abuse; some of these youth have been failed by the child welfare system, and perceive the streets as preferable to endless shuffling from one foster home or group home to another.

Runaway and homeless youth face numerous dangers on the streets: lack of education, health care and job training opportunities; increased risk of substance abuse, depression, early pregnancy, and HIV infection; and the dangers of physical and sexual assault from adults who prey on these young people.

The federal Runaway and Homeless Youth Act programs support cost-effective community-based services for these youth, to protect them from the harms of life on the streets and either reunify them safely with family or find alternative appropriate placements.

Because runaway and homeless youth often cross state lines, there is a uniquely federal interest in addressing the needs of these youth. For a quarter of a century, the federal RHYA programs have helped to meet the needs of these young people, prevent their involvement in criminal activity, and provide them with a doorway to a safe and productive future.

Thank you for your hard work in reauthorizing these vital programs for our nation's most vulnerable youth.

Sincerely,

MIRIAM A. ROLLIN,
Director of Public Policy.

Mr. CRAIG. Mr. President, I ask unanimous consent that the committee substitute be agreed to, the bill be considered read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee substitute was agreed to.

The bill (S. 249), as amended, read the third time and passed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. CRAIG. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nomination on the Executive Calendar: No. 21. I ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid upon the table, any statements relating to the nomination appear at this point in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

DEPARTMENT OF ENERGY

Robert Wayne Gee, of Texas, to be an Assistant Secretary of Energy (Fossil Energy).

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

ORDERS FOR TUESDAY, APRIL 20, 1999

Mr. CRAIG. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10:30 a.m. on Tuesday, April 20. I further ask that on Tuesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved, the Senate then be in a period of morning business until 11:30 a.m. with Senators permitted to speak for up to 10 minutes each, with the following exceptions: Senator HUTCHINSON for 15 minutes; Senator MCCAIN for 15 minutes.

I ask consent that at 12:30 p.m. the Senate then stand in recess until 2:15 p.m. for the weekly party caucus luncheons.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRAIG. Mr. President, I ask consent that when the Senate reconvenes at 2:15, the Senate begin consideration of Calendar No. 89, S. 557, a bill to provide guidance for the designation of emergencies as a part of the budget process.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. CRAIG. For the information of all Senators, the Senate will reconvene on Tuesday at 10:30 a.m. and be in a period of morning business until 11:30 a.m. At 2:15, the Senate will begin consideration of the budget reform legislation, with votes possible throughout the day on this bill or any other legislation or executive items cleared for action. Later this week, a vote on adoption of the education flexibility conference report is expected.

WATER RESOURCES DEVELOPMENT ACT OF 1999

Mr. CRAIG. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 72, S. 507.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 507) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to the rivers and harbors of the United States, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Water Resources Development Act of 1999''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definition of Secretary.

TITLE I—WATER RESOURCES PROJECTS

Sec. 101. Project authorizations.
Sec. 102. Project modifications.
Sec. 103. Project deauthorizations.
Sec. 104. Studies.

TITLE II—GENERAL PROVISIONS

Sec. 201. Flood hazard mitigation and riverine ecosystem restoration program.
Sec. 202. Shore protection.
Sec. 203. Small flood control authority.
Sec. 204. Use of non-Federal funds for compiling and disseminating information on floods and flood damages.
Sec. 205. Aquatic ecosystem restoration.
Sec. 206. Beneficial uses of dredged material.
Sec. 207. Voluntary contributions by States and political subdivisions.
Sec. 208. Recreation user fees.
Sec. 209. Water resources development studies for the Pacific region.
Sec. 210. Missouri and Middle Mississippi Rivers enhancement project.
Sec. 211. Outer Continental Shelf.
Sec. 212. Environmental dredging.
Sec. 213. Benefit of primary flood damages avoided included in benefit-cost analysis.
Sec. 214. Control of aquatic plant growth.
Sec. 215. Environmental infrastructure.
Sec. 216. Watershed management, restoration, and development.
Sec. 217. Lakes program.
Sec. 218. Sediments decontamination policy.
Sec. 219. Disposal of dredged material on beaches.
Sec. 220. Fish and wildlife mitigation.
Sec. 221. Reimbursement of non-Federal interest.
Sec. 222. National Contaminated Sediment Task Force.
Sec. 223. Great Lakes basin program.
Sec. 224. Projects for improvement of the environment.
Sec. 225. Water quality, environmental quality, recreation, fish and wildlife, flood control, and navigation.
Sec. 226. Irrigation diversion protection and fisheries enhancement assistance.
Sec. 227. Small storm damage reduction projects.
Sec. 228. Shore damage prevention or mitigation.
Sec. 229. Atlantic coast of New York.
Sec. 230. Accelerated adoption of innovative technologies for contaminated sediments.

TITLE III—PROJECT-RELATED PROVISIONS

Sec. 301. Dredging of salt ponds in the State of Rhode Island.
Sec. 302. Upper Susquehanna River basin, Pennsylvania and New York.
Sec. 303. Small flood control projects.
Sec. 304. Small navigation projects.
Sec. 305. Streambank protection projects.
Sec. 306. Aquatic ecosystem restoration, Springfield, Oregon.
Sec. 307. Guilford and New Haven, Connecticut.
Sec. 308. Francis Bland Floodway Ditch.
Sec. 309. Caloosahatchee River basin, Florida.
Sec. 310. Cumberland, Maryland, flood project mitigation.
Sec. 311. City of Miami Beach, Florida.
Sec. 312. Sardis Reservoir, Oklahoma.
Sec. 313. Upper Mississippi River and Illinois waterway system navigation modernization.
Sec. 314. Upper Mississippi River management.
Sec. 315. Research and development program for Columbia and Snake Rivers salmon survival.
Sec. 316. Nine Mile Run habitat restoration, Pennsylvania.
Sec. 317. Larkspur Ferry Channel, California.
Sec. 318. Comprehensive Flood Impact-Response Modeling System.
Sec. 319. Study regarding innovative financing for small and medium-sized ports.
Sec. 320. Candy Lake project, Osage County, Oklahoma.
Sec. 321. Salcha River and Piledriver Slough, Fairbanks, Alaska.
Sec. 322. Eyak River, Cordova, Alaska.
Sec. 323. North Padre Island storm damage reduction and environmental restoration project.
Sec. 324. Kanopolis Lake, Kansas.
Sec. 325. New York City watershed.
Sec. 326. City of Charlevoix reimbursement, Michigan.
Sec. 327. Hamilton Dam flood control project, Michigan.
Sec. 328. Holes Creek flood control project, Ohio.
Sec. 329. Overflow management facility, Rhode Island.
Sec. 330. Anacostia River aquatic ecosystem restoration, District of Columbia and Maryland.
Sec. 331. Everglades and south Florida ecosystem restoration.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term ''Secretary'' means the Secretary of the Army.

TITLE I—WATER RESOURCES PROJECTS

SEC. 101. PROJECT AUTHORIZATIONS.

(a) PROJECTS WITH CHIEF'S REPORTS.—The following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the respective reports designated in this section:

(1) SAND POINT HARBOR, ALASKA.—The project for navigation, Sand Point Harbor, Alaska: Report of the Chief of Engineers dated October 13, 1998, at a total cost of $11,760,000, with an estimated Federal cost of $6,964,000 and an estimated non-Federal cost of $4,796,000.

(2) RIO SALADO (SALT RIVER), ARIZONA.—The project for environmental restoration, Rio Salado (Salt River), Arizona: Report of the Chief of Engineers dated August 20, 1998, at a total cost of $88,048,000, with an estimated Federal cost of $56,355,000 and an estimated non-Federal cost of $31,693,000.

(3) TUCSON DRAINAGE AREA, ARIZONA.—The project for flood damage reduction, environmental restoration, and recreation, Tucson drainage area, Arizona: Report of the Chief of Engineers dated May 20, 1998, at a total cost of $29,900,000, with an estimated Federal cost of $16,768,000 and an estimated non-Federal cost of $13,132,000.

(4) AMERICAN RIVER WATERSHED, CALIFORNIA.—

(A) IN GENERAL.—The project for flood damage reduction described as the Folsom Stepped Release Plan in the Corps of Engineers Supplemental Information Report for the American River Watershed Project, California, dated March 1996, at a total cost of $505,400,000, with an estimated Federal cost of $329,300,000 and an estimated non-Federal cost of $176,100,000.

(B) IMPLEMENTATION.—

(i) IN GENERAL.—Implementation of the measures by the Secretary pursuant to subparagraph (A) shall be undertaken after completion of the levee stabilization and strengthening and flood warning features authorized by section 101(a)(1) of the Water Resources Development Act of 1996 (110 Stat. 3662).

(ii) FOLSOM DAM AND RESERVOIR.—The Secretary may undertake measures at the Folsom

Dam and Reservoir authorized under subparagraph (A) only after reviewing the design of such measures to determine if modifications are necessary to account for changed hydrologic conditions and any other changed conditions in the project area, including operational and construction impacts that have occurred since completion of the report referred to in subparagraph (A). The Secretary shall conduct the review and develop the modifications to the Folsom Dam and Reservoir with the full participation of the Secretary of the Interior.

(iii) REMAINING DOWNSTREAM ELEMENTS.—

(I) IN GENERAL.—Implementation of the remaining downstream elements authorized pursuant to subparagraph (A) may be undertaken only after the Secretary, in consultation with affected Federal, State, regional, and local entities, has reviewed the elements to determine if modifications are necessary to address changes in the hydrologic conditions, any other changed conditions in the project area that have occurred since completion of the report referred to in subparagraph (A) and any design modifications for the Folsom Dam and Reservoir made by the Secretary in implementing the measures referred to in clause (ii), and has issued a report on the review.

(II) PRINCIPLES AND GUIDELINES.—The review shall be prepared in accordance with the economic and environmental principles and guidelines for water and related land resources implementation studies, and no construction may be initiated unless the Secretary determines that the remaining downstream elements are technically sound, environmentally acceptable, and economically justified.

(5) LLAGAS CREEK, CALIFORNIA.—The project for completion of the remaining reaches of the Natural Resources Conservation Service flood control project at Llagas Creek, California, undertaken pursuant to section 5 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1005), substantially in accordance with the requirements of local cooperation as specified in section 4 of that Act (16 U.S.C. 1004) at a total cost of $45,000,000, with an estimated Federal cost of $21,800,000 and an estimated non-Federal cost of $23,200,000.

(6) SOUTH SACRAMENTO COUNTY STREAMS, CALIFORNIA.—The project for flood control, environmental restoration, and recreation, South Sacramento County streams, California: Report of the Chief of Engineers dated October 6, 1998, at a total cost of $65,500,000, with an estimated Federal cost of $41,200,000 and an estimated non-Federal cost of $24,300,000.

(7) UPPER GUADALUPE RIVER, CALIFORNIA.—Construction of the locally preferred plan for flood damage reduction and recreation, Upper Guadalupe River, California, described as the Bypass Channel Plan of the Chief of Engineers dated August 19, 1998, at a total cost of $137,600,000, with an estimated Federal cost of $44,000,000 and an estimated non-Federal cost of $93,600,000.

(8) YUBA RIVER BASIN, CALIFORNIA.—The project for flood damage reduction, Yuba River Basin, California: Report of the Chief of Engineers dated November 25, 1998, at a total cost of $26,600,000, with an estimated Federal cost of $17,350,000 and an estimated non-Federal cost of $9,250,000.

(9) DELAWARE BAY COASTLINE: DELAWARE AND NEW JERSEY-BROADKILL BEACH, DELAWARE.—

(A) IN GENERAL.—The project for hurricane and storm damage reduction and shore protection, Delaware Bay coastline: Delaware and New Jersey-Broadkill Beach, Delaware, Report of the Chief of Engineers dated August 17, 1998, at a total cost of $9,049,000, with an estimated Federal cost of $5,674,000 and an estimated non-Federal cost of $3,375,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of $538,200, with an estimated annual Federal cost of $349,800 and an estimated annual non-Federal cost of $188,400.

(10) DELAWARE BAY COASTLINE: DELAWARE AND NEW JERSEY-PORT MAHON, DELAWARE.—

(A) IN GENERAL.—The project for ecosystem restoration and shore protection, Delaware Bay coastline: Delaware and New Jersey-Port Mahon, Delaware: Report of the Chief of Engineers dated September 28, 1998, at a total cost of $7,644,000, with an estimated Federal cost of $4,969,000 and an estimated non-Federal cost of $2,675,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of $234,000, with an estimated annual Federal cost of $152,000 and an estimated annual non-Federal cost of $82,000.

(11) HILLSBORO AND OKEECHOBEE AQUIFER STORAGE AND RECOVERY PROJECT, FLORIDA.—The project for aquifer storage and recovery described in the Corps of Engineers Central and Southern Florida Water Supply Study, Florida, dated April 1989, and in House Document 369, dated July 30, 1968, at a total cost of $27,000,000, with an estimated Federal cost of $13,500,000 and an estimated non-Federal cost of $13,500,000.

(12) INDIAN RIVER COUNTY, FLORIDA.—Notwithstanding section 1001(a) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(a)), the project for shoreline protection, Indian River County, Florida, authorized by section 501(a) of that Act (100 Stat. 4134), shall remain authorized for construction through December 31, 2002.

(13) LIDO KEY BEACH, SARASOTA, FLORIDA.—

(A) IN GENERAL.—The project for shore protection at Lido Key Beach, Sarasota, Florida, authorized by section 101 of the River and Harbor Act of 1970 (84 Stat. 1819) and deauthorized by operation of section 1001(b) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)), is authorized to be carried out by the Secretary at a total cost of $5,200,000, with an estimated Federal cost of $3,380,000 and an estimated non-Federal cost of $1,820,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of $602,000, with an estimated annual Federal cost of $391,000 and an estimated annual non-Federal cost of $211,000.

(14) TAMPA HARBOR-BIG BEND CHANNEL, FLORIDA.—The project for navigation, Tampa Harbor-Big Bend Channel, Florida: Report of the Chief of Engineers dated October 13, 1998, at a total cost of $12,356,000, with an estimated Federal cost of $6,235,000 and an estimated non-Federal cost of $6,121,000.

(15) BRUNSWICK HARBOR, GEORGIA.—The project for navigation, Brunswick Harbor, Georgia: Report of the Chief of Engineers dated October 6, 1998, at a total cost of $50,717,000, with an estimated Federal cost of $32,966,000 and an estimated non-Federal cost of $17,751,000.

(16) BEARGRASS CREEK, KENTUCKY.—The project for flood damage reduction, Beargrass Creek, Kentucky: Report of the Chief of Engineers dated May 12, 1998, at a total cost of $11,172,000, with an estimated Federal cost of $7,262,000 and an estimated non-Federal cost of $3,910,000.

(17) AMITE RIVER AND TRIBUTARIES, LOUISIANA, EAST BATON ROUGE PARISH WATERSHED.—The project for flood damage reduction and recreation, Amite River and Tributaries, Louisiana, East Baton Rouge Parish Watershed: Report of the Chief of Engineers, dated December 23, 1996, at a total cost of $112,900,000, with an estimated Federal cost of $73,400,000 and an estimated non-Federal cost of $39,500,000.

(18) BALTIMORE HARBOR ANCHORAGES AND CHANNELS, MARYLAND AND VIRGINIA.—The project for navigation, Baltimore Harbor Anchorages and Channels, Maryland and Virginia: Report of the Chief of Engineers, dated June 8, 1998, at a total cost of $28,430,000, with an estimated Federal cost of $19,000,000 and an estimated non-Federal cost of $9,430,000.

(19) RED LAKE RIVER AT CROOKSTON, MINNESOTA.—The project for flood damage reduction, Red Lake River at Crookston, Minnesota: Report of the Chief of Engineers, dated April 20, 1998, at a total cost of $8,950,000, with an estimated Federal cost of $5,720,000 and an estimated non-Federal cost of $3,230,000.

(20) NEW JERSEY SHORE PROTECTION, TOWNSENDS INLET TO CAPE MAY INLET, NEW JERSEY.—

(A) IN GENERAL.—The project for hurricane and storm damage reduction, ecosystem restoration, and shore protection, New Jersey coastline, Townsends Inlet to Cape May Inlet, New Jersey: Report of the Chief of Engineers dated September 28, 1998, at a total cost of $56,503,000, with an estimated Federal cost of $36,727,000 and an estimated non-Federal cost of $19,776,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of $2,000,000, with an estimated annual Federal cost of $1,300,000 and an estimated annual non-Federal cost of $700,000.

(21) PARK RIVER, NORTH DAKOTA.—

(A) IN GENERAL.—Subject to the condition stated in subparagraph (B), the project for flood control, Park River, Grafton, North Dakota, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4121) and deauthorized under section 1001(a) of the Water Resources Development Act of 1986 (33 U.S.C. 579a), at a total cost of $28,100,000, with an estimated Federal cost of $18,265,000 and an estimated non-Federal cost of $9,835,000.

(B) CONDITION.—No construction may be initiated unless the Secretary determines through a general reevaluation report using current data, that the project is technically sound, environmentally acceptable, and economically justified.

(22) SALT CREEK, GRAHAM, TEXAS.—The project for flood control, environmental restoration, and recreation, Salt Creek, Graham, Texas: Report of the Chief of Engineers dated October 6, 1998, at a total cost of $10,080,000, with an estimated Federal cost of $6,560,000 and an estimated non-Federal cost of $3,520,000.

(b) PROJECTS SUBJECT TO A FINAL REPORT.—The following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions recommended in a final report of the Chief of Engineers as approved by the Secretary, if a favorable report of the Chief is completed not later than December 31, 1999:

(1) NOME HARBOR IMPROVEMENTS, ALASKA.—The project for navigation, Nome Harbor Improvements, Alaska, at a total cost of $24,608,000, with an estimated first Federal cost of $19,660,000 and an estimated first non-Federal cost of $4,948,000.

(2) SEWARD HARBOR, ALASKA.—The project for navigation, Seward Harbor, Alaska, at a total cost of $12,240,000, with an estimated first Federal cost of $4,364,000 and an estimated first non-Federal cost of $7,876,000.

(3) HAMILTON AIRFIELD WETLAND RESTORATION, CALIFORNIA.—The project for environmental restoration at Hamilton Airfield, California, at a total cost of $55,200,000, with an estimated Federal cost of $41,400,000 and an estimated non-Federal cost of $13,800,000.

(4) OAKLAND, CALIFORNIA.—

(A) IN GENERAL.—The project for navigation and environmental restoration, Oakland, California, at a total cost of $214,340,000, with an estimated Federal cost of $143,450,000 and an estimated non-Federal cost of $70,890,000.

(B) BERTHING AREAS AND OTHER LOCAL SERVICE FACILITIES.—The non-Federal interests shall provide berthing areas and other local service facilities necessary for the project at an estimated cost of $42,310,000.

(5) DELAWARE BAY COASTLINE: DELAWARE AND NEW JERSEY-ROOSEVELT INLET-LEWES BEACH, DELAWARE.—

(A) IN GENERAL.—The project for navigation mitigation, shore protection, and hurricane and

storm damage reduction, Delaware Bay coastline: Delaware and New Jersey-Roosevelt Inlet-Lewes Beach, Delaware, at a total cost of $3,393,000, with an estimated Federal cost of $2,620,000 and an estimated non-Federal cost of $773,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of $196,000, with an estimated annual Federal cost of $152,000 and an estimated annual non-Federal cost of $44,000.

(6) DELAWARE COAST FROM CAPE HENELOPEN TO FENWICK ISLAND, BETHANY BEACH/SOUTH BETHANY BEACH, DELAWARE.—

(A) IN GENERAL.—The project for hurricane and storm damage reduction and shore protection, Delaware Coast from Cape Henelopen to Fenwick Island, Bethany Beach/South Bethany Beach, Delaware, at a total cost of $22,205,000, with an estimated Federal cost of $14,433,000 and an estimated non-Federal cost of $7,772,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of $1,584,000, with an estimated annual Federal cost of $1,030,000 and an estimated annual non-Federal cost of $554,000.

(7) JACKSONVILLE HARBOR, FLORIDA.—The project for navigation, Jacksonville Harbor, Florida, at a total cost of $26,116,000, with an estimated Federal cost of $9,129,000 and an estimated non-Federal cost of $16,987,000.

(8) LITTLE TALBOT ISLAND, DUVAL COUNTY, FLORIDA.—The project for hurricane and storm damage prevention and shore protection, Little Talbot Island, Duval County, Florida, at a total cost of $5,915,000, with an estimated Federal cost of $3,839,000 and an estimated non-Federal cost of $2,076,000.

(9) PONCE DE LEON INLET, VOLUSIA COUNTY, FLORIDA.—The project for navigation and recreation, Ponce de Leon Inlet, Volusia County, Florida, at a total cost of $5,454,000, with an estimated Federal cost of $2,988,000 and an estimated non-Federal cost of $2,466,000.

(10) SAVANNAH HARBOR EXPANSION, GEORGIA.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may carry out the project for navigation, Savannah Harbor expansion, Georgia, substantially in accordance with the plans, and subject to the conditions, recommended in a final report of the Chief of Engineers, with such modifications as the Secretary deems appropriate, at a total cost of $230,174,000 (of which amount a portion is authorized for implementation of the mitigation plan), with an estimated Federal cost of $145,160,000 and an estimated non-Federal cost of $85,014,000.

(B) CONDITIONS.—The project authorized by subparagraph (A) may be carried out only after—

(i) the Secretary, in consultation with affected Federal, State, regional, and local entities, has reviewed and approved an Environmental Impact Statement that includes—

(I) an analysis of the impacts of project depth alternatives ranging from 42 feet through 48 feet; and

(II) a selected plan for navigation and associated mitigation plan as required by section 906(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2283); and

(ii) the Secretary of the Interior, the Secretary of Commerce, and the Administrator of the Environmental Protection Agency, with the Secretary, have approved the selected plan and have determined that the mitigation plan adequately addresses the potential environmental impacts of the project.

(C) MITIGATION REQUIREMENTS.—The mitigation plan shall be implemented in advance of or concurrently with construction of the project.

(11) TURKEY CREEK BASIN, KANSAS CITY, MISSOURI AND KANSAS CITY, KANSAS.—The project for flood damage reduction, Turkey Creek Basin, Kansas City, Missouri, and Kansas City, Kansas, at a total cost of $42,875,000 with an estimated Federal cost of $25,596,000 and an estimated non-Federal cost of $17,279,000.

(12) DELAWARE BAY COASTLINE, OAKWOOD BEACH, NEW JERSEY.—

(A) IN GENERAL.—The project for hurricane and storm damage reduction, Delaware Bay coastline, Oakwood Beach, New Jersey, at a total cost of $3,380,000, with an estimated Federal cost of $2,197,000 and an estimated non-Federal cost of $1,183,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of $90,000, with an estimated annual Federal cost of $58,000 and an estimated annual non-Federal cost of $32,000.

(13) DELAWARE BAY COASTLINE, REEDS BEACH AND PIERCES POINT, NEW JERSEY.—The project for environmental restoration, Delaware Bay coastline, Reeds Beach and Pierces Point, New Jersey, at a total cost of $4,057,000, with an estimated Federal cost of $2,637,000 and an estimated non-Federal cost of $1,420,000.

(14) DELAWARE BAY COASTLINE, VILLAS AND VICINITY, NEW JERSEY.—The project for environmental restoration, Delaware Bay coastline, Villas and vicinity, New Jersey, at a total cost of $7,520,000, with an estimated Federal cost of $4,888,000 and an estimated non-Federal cost of $2,632,000.

(15) LOWER CAPE MAY MEADOWS, CAPE MAY POINT, NEW JERSEY.—

(A) IN GENERAL.—The project for navigation mitigation, ecosystem restoration, shore protection, and hurricane and storm damage reduction, Lower Cape May Meadows, Cape May Point, New Jersey, at a total cost of $15,952,000, with an estimated Federal cost of $12,118,000 and an estimated non-Federal cost of $3,834,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of $1,114,000, with an estimated annual Federal cost of $897,000 and an estimated annual non-Federal cost of $217,000.

(16) NEW JERSEY SHORE PROTECTION, BRIGANTINE INLET TO GREAT EGG HARBOR, BRIGANTINE ISLAND, NEW JERSEY.—

(A) IN GENERAL.—The project for hurricane and storm damage reduction and shore protection, New Jersey Shore protection, Brigantine Inlet to Great Egg Harbor, Brigantine Island, New Jersey, at a total cost of $4,970,000, with an estimated Federal cost of $3,230,000 and an estimated non-Federal cost of $1,740,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of $465,000, with an estimated annual Federal cost of $302,000 and an estimated annual non-Federal cost of $163,000.

(17) COLUMBIA RIVER CHANNEL DEEPENING, OREGON AND WASHINGTON.—

(A) IN GENERAL.—The project for navigation, Columbia River channel deepening, Oregon and Washington, at a total cost of $182,423,000, with an estimated Federal cost of $106,132,000 and an estimated non-Federal cost of $76,291,000.

(B) BERTHING AREAS AND OTHER LOCAL SERVICE FACILITIES.—The non-Federal interests shall provide berthing areas and other local service facilities necessary for the project at an estimated cost of $1,200,000.

(18) MEMPHIS HARBOR, MEMPHIS, TENNESSEE.—

(A) IN GENERAL.—Subject to subparagraph (B), the project for navigation, Memphis Harbor, Memphis, Tennessee, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4145) and deauthorized under section 1001(a) of that Act (33 U.S.C. 579a(a)) is authorized to be carried out by the Secretary.

(B) CONDITION.—No construction may be initiated unless the Secretary determines through a general reevaluation report using current data, that the project is technically sound, environmentally acceptable, and economically justified.

(19) JOHNSON CREEK, ARLINGTON, TEXAS.—The project for flood damage reduction, environmental restoration, and recreation, Johnson Creek, Arlington, Texas, at a total cost of $20,300,000, with an estimated Federal cost of $12,000,000 and an estimated non-Federal cost of $8,300,000.

(20) HOWARD HANSON DAM, WASHINGTON.—The project for water supply and ecosystem restoration, Howard Hanson Dam, Washington, at a total cost of $75,600,000, with an estimated Federal cost of $36,900,000 and an estimated non-Federal cost of $38,700,000.

SEC. 102. PROJECT MODIFICATIONS.

(a) PROJECTS WITH REPORTS.—

(1) SAN LORENZO RIVER, CALIFORNIA.—The project for flood control, San Lorenzo River, California, authorized by section 101(a)(5) of the Water Resources Development Act of 1996 (110 Stat. 3663), is modified to authorize the Secretary to include as a part of the project streambank erosion control measures to be undertaken substantially in accordance with the report entitled ''Bank Stabilization Concept, Laurel Street Extension'', dated April 23, 1998, at a total cost of $4,000,000, with an estimated Federal cost of $2,600,000 and an estimated non-Federal cost of $1,400,000.

(2) ST. JOHNS COUNTY SHORE PROTECTION, FLORIDA.—

(A) IN GENERAL.—The project for hurricane and storm damage reduction and shore protection, St. Johns County, Florida, authorized by section 501(a) of the Water Resources Development Act of 1986 (100 Stat. 4133) is modified to authorize the Secretary to include navigation mitigation as a purpose of the project in accordance with the report of the Corps of Engineers dated November 18, 1998, at a total cost of $16,086,000, with an estimated Federal cost of $12,949,000 and an estimated non-Federal cost of $3,137,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of $8,137,000, with an estimated annual Federal cost of $6,550,000 and an estimated annual non-Federal cost of $1,587,000.

(3) WOOD RIVER, GRAND ISLAND, NEBRASKA.—The project for flood control, Wood River, Grand Island, Nebraska, authorized by section 101(a)(19) of the Water Resources Development Act of 1996 (110 Stat. 3665) is modified to authorize the Secretary to construct the project in accordance with the Corps of Engineers report dated June 29, 1998, at a total cost of $17,039,000, with an estimated Federal cost of $9,730,000 and an estimated non-Federal cost of $7,309,000.

(4) ABSECON ISLAND, NEW JERSEY.—The project for Absecon Island, New Jersey, authorized by section 101(b)(13) of the Water Resources Development Act of 1996 (110 Stat. 3668) is amended to authorize the Secretary to reimburse the non-Federal interests for all work performed, consistent with the authorized project.

(5) ARTHUR KILL, NEW YORK AND NEW JERSEY.—

(A) IN GENERAL.—The project for navigation, Arthur Kill, New York and New Jersey, authorized by section 202(b) of the Water Resources Development Act of 1986 (100 Stat. 4098) and modified by section 301(b)(11) of the Water Resources Development Act of 1996 (110 Stat. 3711), is further modified to authorize the Secretary to construct the project at a total cost of $276,800,000, with an estimated Federal cost of $183,200,000 and an estimated non-Federal cost of $93,600,000.

(B) BERTHING AREAS AND OTHER LOCAL SERVICE FACILITIES.—The non-Federal interests shall provide berthing areas and other local service facilities necessary for the project at an estimated cost of $38,900,000.

(6) WAURIKA LAKE, OKLAHOMA, WATER CONVEYANCE FACILITIES.—The requirement for the Waurika Project Master Conservancy District to repay the $2,900,000 in costs (including interest) resulting from the October 1991 settlement of the claim of the Travelers Insurance Company before the United States Claims Court related to

construction of the water conveyance facilities authorized by the first section of Public Law 88–253 (77 Stat. 841) is waived.

(b) PROJECTS SUBJECT TO REPORTS.—The following projects are modified as follows, except that no funds may be obligated to carry out work under such modifications until completion of a final report by the Chief of Engineers, as approved by the Secretary, finding that such work is technically sound, environmentally acceptable, and economically justified, as applicable:

(1) THORNTON RESERVOIR, COOK COUNTY, ILLINOIS.—

(A) IN GENERAL.—The Thornton Reservoir project, an element of the project for flood control, Chicagoland Underflow Plan, Illinois, authorized by section 3(a)(5) of the Water Resources Development Act of 1988 (102 Stat. 4013), is modified to authorize the Secretary to include additional permanent flood control storage attributable to the Natural Resources Conservation Service Thornton Reservoir (Structure 84), Little Calumet River Watershed, Illinois, approved under the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.).

(B) COST SHARING.—Costs for the Thornton Reservoir project shall be shared in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

(C) TRANSITIONAL STORAGE.—The Secretary of Agriculture may cooperate with non-Federal interests to provide, on a transitional basis, flood control storage for the Natural Resources Conservation Service Thornton Reservoir (Structure 84) project in the west lobe of the Thornton quarry.

(D) CREDITING.—The Secretary may credit against the non-Federal share of the Thornton Reservoir project all design and construction costs incurred by the non-Federal interests before the date of enactment of this Act.

(E) REEVALUATION REPORT.—The Secretary shall determine the credits authorized by subparagraph (D) that are integral to the Thornton Reservoir project and the current total project costs based on a limited reevaluation report.

(2) WELLS HARBOR, WELLS, MAINE.—

(A) IN GENERAL.—The project for navigation, Wells Harbor, Maine, authorized by section 101 of the River and Harbor Act of 1960 (74 Stat. 480), is modified to authorize the Secretary to realign the channel and anchorage areas based on a harbor design capacity of 150 craft.

(B) DEAUTHORIZATION OF CERTAIN PORTIONS.—The following portions of the project are not authorized after the date of enactment of this Act:

(i) The portion of the 6-foot channel the boundaries of which begin at a point with coordinates N177,992.00, E394,831.00, thence running south 83 degrees 58 minutes 14.8 seconds west 10.38 feet to a point N177,990.91, E394,820.68, thence running south 11 degrees 46 minutes 47.7 seconds west 991.76 feet to a point N177,020.04, E394,618.21, thence running south 78 degrees 13 minutes 45.7 seconds east 10.00 feet to a point N177,018.00, E394,628.00, thence running north 11 degrees 46 minutes 22.8 seconds east 994.93 feet to the point of origin.

(ii) The portion of the 6-foot anchorage the boundaries of which begin at a point with coordinates N177,778.07, E394,336.96, thence running south 51 degrees 58 minutes 32.7 seconds west 15.49 feet to a point N177,768.53, E394,324.76, thence running south 11 degrees 46 minutes 26.5 seconds west 672.87 feet to a point N177,109.82, E394,187.46, thence running south 78 degrees 13 minutes 45.7 seconds east 10.00 feet to a point N177,107.78, E394,197.25, thence running north 11 degrees 46 minutes 25.4 seconds east 684.70 feet to the point of origin.

(iii) The portion of the 10-foot settling basin the boundaries of which begin at a point with coordinates N177,107.78, E394,197.25, thence running north 78 degrees 13 minutes 45.7 seconds west 10.00 feet to a point N177,109.82, E394,187.46, thence running south 11 degrees 46 minutes 15.7 seconds west 300.00 feet to a point N176,816.13, E394,126.26, thence running south 78 degrees 12 minutes 21.4 seconds east 9.98 feet to a point N176,814.09, E394,136.03, thence running north 11 degrees 46 minutes 29.1 seconds east 300.00 feet to the point of origin.

(iv) The portion of the 10-foot settling basin the boundaries of which begin at a point with coordinates N177,018.00, E394,628.00, thence running north 78 degrees 13 minutes 45.7 seconds west 10.00 feet to a point N177,020.04, E394,618.21, thence running south 11 degrees 46 minutes 44.0 seconds west 300.00 feet to a point N176,726.36, E394,556.97, thence running south 78 degrees 12 minutes 30.3 seconds east 10.03 feet to a point N176,724.31, E394,566.79, thence running north 11 degrees 46 minutes 22.4 seconds east 300.00 feet to the point of origin.

(C) REDESIGNATIONS.—The following portions of the project shall be redesignated as part of the 6-foot anchorage:

(i) The portion of the 6-foot channel the boundaries of which begin at a point with coordinates N177,990.91, E394,820.68, thence running south 83 degrees 58 minutes 40.8 seconds west 94.65 feet to a point N177,980.98, E394,726.55, thence running south 11 degrees 46 minutes 22.4 seconds west 962.83 feet to a point N177,038.40, E394,530.10, thence running south 78 degrees 13 minutes 45.7 seconds east 90.00 feet to a point N177,020.04, E394,618.21, thence running north 11 degrees 46 minutes 47.7 seconds east 991.76 feet to the point of origin.

(ii) The portion of the 10-foot inner harbor settling basin the boundaries of which begin at a point with coordinates N177,020.04, E394,618.21, thence running north 78 degrees 13 minutes 30.5 seconds west 160.00 feet to a point N177,052.69, E394,461.58, thence running south 11 degrees 46 minutes 45.4 seconds west 299.99 feet to a point N176,759.02, E394,400.34, thence running south 78 degrees 13 minutes 17.9 seconds east 160 feet to a point N176,726.36, E394,556.97, thence running north 11 degrees 46 minutes 44.0 seconds east 300.00 feet to the point of origin.

(iii) The portion of the 6-foot anchorage the boundaries of which begin at a point with coordinates N178,102.26, E394,751.83, thence running south 51 degrees 59 minutes 42.1 seconds west 526.51 feet to a point N177,778.07, E394,336.96, thence running south 11 degrees 46 minutes 26.6 seconds west 511.83 feet to a point N177,277.01, E394,232.52, thence running south 78 degrees 13 minutes 17.9 seconds east 80.00 feet to a point N177,260.68, E394,310.84, thence running north 11 degrees 46 minutes 24.8 seconds east 482.54 feet to a point N177,733.07, E394,409.30, thence running north 51 degrees 59 minutes 41.0 seconds east 402.63 feet to a point N177,980.98, E394,726.55, thence running north 11 degrees 46 minutes 27.6 seconds east 123.89 feet to the point of origin.

(D) REALIGNMENT.—The 6-foot anchorage area described in subparagraph (C)(iii) shall be realigned to include the area located south of the inner harbor settling basin in existence on the date of enactment of this Act beginning at a point with coordinates N176,726.36, E394,556.97, thence running north 78 degrees 13 minutes 17.9 seconds west 160.00 feet to a point N176,759.02, E394,400.34, thence running south 11 degrees 47 minutes 03.8 seconds west 45 feet to a point N176,714.97, E394,391.15, thence running south 78 degrees 13 minutes 17.9 seconds 160.00 feet to a point N176,682.31, E394,547.78, thence running north 11 degrees 47 minutes 03.8 seconds east 45 feet to the point of origin.

(E) RELOCATION.—The Secretary may relocate the settling basin feature of the project to the outer harbor between the jetties.

(3) NEW YORK HARBOR AND ADJACENT CHANNELS, PORT JERSEY, NEW JERSEY.—

(A) IN GENERAL.—The project for navigation, New York Harbor and adjacent channels, Port Jersey, New Jersey, authorized by section 201(b) of the Water Resources Development Act of 1986 (100 Stat. 4091), is modified to authorize the Secretary to construct the project at a total cost of $102,545,000, with an estimated Federal cost of $76,909,000 and an estimated non-Federal cost of $25,636,000.

(B) BERTHING AREAS AND OTHER LOCAL FACILITIES.—The non-Federal interests shall provide berthing areas and other local service facilities necessary for the project at an estimated cost of $722,000.

(c) BEAVER LAKE, ARKANSAS, WATER SUPPLY STORAGE REALLOCATION.—The Secretary shall reallocate approximately 31,000 additional acre-feet at Beaver Lake, Arkansas, to water supply storage at no cost to the Beaver Water District or the Carroll-Boone Water District, except that at no time shall the bottom of the conservation pool be at an elevation that is less than 1,076 feet, NGVD.

(d) TOLCHESTER CHANNEL S-TURN, BALTIMORE, MARYLAND.—The project for navigation, Baltimore Harbor and Channels, Maryland, authorized by section 101 of the River and Harbor Act of 1958 (72 Stat. 297), is modified to direct the Secretary to straighten the Tolchester Channel S-turn as part of project maintenance.

(e) TROPICANA WASH AND FLAMINGO WASH, NEVADA.—Any Federal costs associated with the Tropicana and Flamingo Washes, Nevada, authorized by section 101(13) of the Water Resources Development Act of 1992 (106 Stat. 4803), incurred by the non-Federal interest to accelerate or modify construction of the project, in cooperation with the Corps of Engineers, shall be considered to be eligible for reimbursement by the Secretary.

(f) REDIVERSION PROJECT, COOPER RIVER, CHARLESTON HARBOR, SOUTH CAROLINA.—

(1) IN GENERAL.—The rediversion project, Cooper River, Charleston Harbor, South Carolina, authorized by section 101 of the River and Harbor Act of 1968 (82 Stat. 731) and modified by title I of the Energy and Water Development Appropriations Act, 1992 (105 Stat. 517), is modified to authorize the Secretary to pay the State of South Carolina not more than $3,750,000, if the State enters into an agreement with the Secretary providing that the State shall perform all future operation of the St. Stephen, South Carolina, fish lift (including associated studies to assess the efficacy of the fish lift).

(2) CONTENTS.—The agreement shall specify the terms and conditions under which payment will be made and the rights of, and remedies available to, the Secretary to recover all or a portion of the payment if the State suspends or terminates operation of the fish lift or fails to perform the operation in a manner satisfactory to the Secretary.

(3) MAINTENANCE.—Maintenance of the fish lift shall remain a Federal responsibility.

(g) TRINITY RIVER AND TRIBUTARIES, TEXAS.—The project for flood control and navigation, Trinity River and tributaries, Texas, authorized by section 301 of the River and Harbor Act of 1965 (79 Stat. 1091), is modified to add environmental restoration as a project purpose.

(h) BEACH EROSION CONTROL AND HURRICANE PROTECTION, VIRGINIA BEACH, VIRGINIA.—

(1) ACCEPTANCE OF FUNDS.—In any fiscal year that the Corps of Engineers does not receive appropriations sufficient to meet expected project expenditures for that year, the Secretary shall accept from the city of Virginia Beach, Virginia, for purposes of the project for beach erosion control and hurricane protection, Virginia Beach, Virginia, authorized by section 501(a) of the Water Resources Development Act of 1986 (100 Stat. 4136), such funds as the city may advance for the project.

(2) REPAYMENT.—Subject to the availability of appropriations, the Secretary shall repay, without interest, the amount of any advance made under paragraph (1), from appropriations that may be provided by Congress for river and harbor, flood control, shore protection, and related projects.

(i) ELIZABETH RIVER, CHESAPEAKE, VIRGINIA.—Notwithstanding any other provision of

law, after the date of enactment of this Act, the city of Chesapeake, Virginia, shall not be obligated to make the annual cash contribution required under paragraph 1(9) of the Local Cooperation Agreement dated December 12, 1978, between the Government and the city for the project for navigation, southern branch of Elizabeth River, Chesapeake, Virginia.

(j) PAYMENT OPTION, MOOREFIELD, WEST VIRGINIA.—The Secretary may permit the non-Federal interests for the project for flood control, Moorefield, West Virginia, to pay without interest the remaining non-Federal cost over a period not to exceed 30 years, to be determined by the Secretary.

(k) MIAMI DADE AGRICULTURAL AND RURAL LAND RETENTION PLAN AND SOUTH BISCAYNE, FLORIDA.—Section 528(b)(3) of the Water Resources Development Act of 1996 (110 Stat. 3768) is amended by adding at the end the following:

''(D) CREDIT AND REIMBURSEMENT OF PAST AND FUTURE ACTIVITIES.—The Secretary may afford credit to or reimburse the non-Federal sponsors (using funds authorized by subparagraph (C)) for the reasonable costs of any work that has been performed or will be performed in connection with a study or activity meeting the requirements of subparagraph (A) if—

''(i) the Secretary determines that—

''(I) the work performed by the non-Federal sponsors will substantially expedite completion of a critical restoration project; and

''(II) the work is necessary for a critical restoration project; and

''(ii) the credit or reimbursement is granted pursuant to a project-specific agreement that prescribes the terms and conditions of the credit or reimbursement.''.

(l) LAKE MICHIGAN, ILLINOIS.—

(1) IN GENERAL.—The project for storm damage reduction and shoreline protection, Lake Michigan, Illinois, from Wilmette, Illinois, to the Illinois-Indiana State line, authorized by section 101(a)(12) of the Water Resources Development Act of 1996 (110 Stat. 3664), is modified to provide for reimbursement for additional project work undertaken by the non-Federal interest.

(2) CREDIT OR REIMBURSEMENT.—The Secretary shall credit or reimburse the non-Federal interest for the Federal share of project costs incurred by the non-Federal interest in designing, constructing, or reconstructing reach 2F (700 feet south of Fullerton Avenue and 500 feet north of Fullerton Avenue), reach 3M (Meigs Field), and segments 7 and 8 of reach 4 (43rd Street to 57th Street), if the non-Federal interest carries out the work in accordance with plans approved by the Secretary, at an estimated total cost of $83,300,000.

(3) REIMBURSEMENT.—The Secretary shall reimburse the non-Federal interest for the Federal share of project costs incurred by the non-Federal interest in reconstructing the revetment structures protecting Solidarity Drive in Chicago, Illinois, before the signing of the project cooperation agreement, at an estimated total cost of $7,600,000.

(m) MEASUREMENTS OF LAKE MICHIGAN DIVERSIONS, ILLINOIS.—Section 1142(b) of the Water Resources Development Act of 1986 (100 Stat. 4253) is amended by striking ''$250,000 per fiscal year for each fiscal year beginning after September 30, 1986'' and inserting ''a total of $1,250,000 for each of fiscal years 1999 through 2003''.

(n) PROJECT FOR NAVIGATION, DUBUQUE, IOWA.—The project for navigation at Dubuque, Iowa, authorized by section 101 of the River and Harbor Act of 1960 (74 Stat. 482), is modified to authorize the development of a wetland demonstration area of approximately 1.5 acres to be developed and operated by the Dubuque County Historical Society or a successor nonprofit organization.

(o) LOUISIANA STATE PENITENTIARY LEVEE.—The Secretary may credit against the non-Federal share work performed in the project area of the Louisiana State Penitentiary Levee, Mississippi River, Louisiana, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4117).

(p) JACKSON COUNTY, MISSISSIPPI.—The project for environmental infrastructure, Jackson County, Mississippi, authorized by section 219(c)(5) of the Water Resources Development Act of 1992 (106 Stat. 4835) and modified by section 504 of the Water Resources Development Act of 1996 (110 Stat. 3757), is modified to direct the Secretary to provide a credit, not to exceed $5,000,000, against the non-Federal share of the cost of the project for the costs incurred by the Jackson County Board of Supervisors since February 8, 1994, in constructing the project, if the Secretary determines that such costs are for work that the Secretary determines was compatible with and integral to the project.

(q) RICHARD B. RUSSELL DAM AND LAKE, SOUTH CAROLINA.—

(1) IN GENERAL.—Except as otherwise provided in this paragraph, the Secretary shall convey to the State of South Carolina all right, title, and interest of the United States in the parcels of land described in subparagraph (B) that are currently being managed by the South Carolina Department of Natural Resources for fish and wildlife mitigation purposes for the Richard B. Russell Dam and Lake, South Carolina, project authorized by the Flood Control Act of 1966 and modified by the Water Resources Development Act of 1986.

(2) LAND DESCRIPTION.—

(A) IN GENERAL.—The parcels of land to be conveyed are described in Exhibits A, F, and H of Army Lease No. DACW21–1–93–0910 and associated supplemental agreements or are designated in red in Exhibit A of Army License No. DACW21–3–85–1904, excluding all designated parcels in the license that are below elevation 346 feet mean sea level or that are less than 300 feet measured horizontally from the top of the power pool.

(B) MANAGEMENT OF EXCLUDED PARCELS.—Management of the excluded parcels shall continue in accordance with the terms of Army License No. DACW21–3–85–1904 until the Secretary and the State enter into an agreement under subparagraph (F).

(C) SURVEY.—The exact acreage and legal description of the land shall be determined by a survey satisfactory to the Secretary, with the cost of the survey borne by the State.

(3) COSTS OF CONVEYANCE.—The State shall be responsible for all costs, including real estate transaction and environmental compliance costs, associated with the conveyance.

(4) PERPETUAL STATUS.—

(A) IN GENERAL.—All land conveyed under this paragraph shall be retained in public ownership and shall be managed in perpetuity for fish and wildlife mitigation purposes in accordance with a plan approved by the Secretary.

(B) REVERSION.—If any parcel of land is not managed for fish and wildlife mitigation purposes in accordance with the plan, title to the parcel shall revert to the United States.

(5) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.

(6) FISH AND WILDLIFE MITIGATION AGREEMENT.—

(A) IN GENERAL.—The Secretary may pay the State of South Carolina not more than $4,850,000 subject to the Secretary and the State entering into a binding agreement for the State to manage for fish and wildlife mitigation purposes in perpetuity the lands conveyed under this paragraph and excluded parcels designated in Exhibit A of Army License No. DACW21–3–85–1904.

(B) FAILURE OF PERFORMANCE.—The agreement shall specify the terms and conditions under which payment will be made and the rights of, and remedies available to, the Federal Government to recover all or a portion of the payment if the State fails to manage any parcel in a manner satisfactory to the Secretary.

(r) LAND CONVEYANCE, CLARKSTON, WASHINGTON.—

(1) IN GENERAL.—The Secretary shall convey to the Port of Clarkston, Washington, all right, title, and interest of the United States in and to a portion of the land described in the Department of the Army lease No. DACW68–1–97–22, consisting of approximately 31 acres, the exact boundaries of which shall be determined by the Secretary and the Port of Clarkston.

(2) ADDITIONAL LAND.—The Secretary may convey to the Port of Clarkston, Washington, such additional land located in the vicinity of Clarkston, Washington, as the Secretary determines to be excess to the needs of the Columbia River Project and appropriate for conveyance.

(3) TERMS AND CONDITIONS.—The conveyances made under paragraphs (1) and (2) shall be subject to such terms and conditions as the Secretary determines to be necessary to protect the interests of the United States, including a requirement that the Port of Clarkston pay all administrative costs associated with the conveyances, including the cost of land surveys and appraisals and costs associated with compliance with applicable environmental laws (including regulations).

(4) USE OF LAND.—The Port of Clarkston shall be required to pay the fair market value, as determined by the Secretary, of any land conveyed pursuant to paragraphs (1) and (2) that is not retained in public ownership and used for public park or recreation purposes, except that the Secretary shall have a right of reverter to reclaim possession and title to any such land.

(s) WHITE RIVER, INDIANA.—The project for flood control, Indianapolis on West Fork of the White River, Indiana, authorized by section 5 of the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and other purposes'', approved June 22, 1936 (49 Stat. 1586, chapter 688), as modified by section 323 of the Water Resources Development Act of 1996 (110 Stat. 3716), is modified to authorize the Secretary to undertake the riverfront alterations described in the Central Indianapolis Waterfront Concept Plan, dated February 1994, for the Canal Development (Upper Canal feature) and the Beveridge Paper feature, at a total cost not to exceed $25,000,000, of which $12,500,000 is the estimated Federal cost and $12,500,000 is the estimated non-Federal cost, except that no such alterations may be undertaken unless the Secretary determines that the alterations authorized by this subsection, in combination with the alterations undertaken under section 323 of the Water Resources Development Act of 1996 (110 Stat. 3716), are economically justified.

(t) FOX POINT HURRICANE BARRIER, PROVIDENCE, RHODE ISLAND.—The project for hurricane-flood protection, Fox Point, Providence, Rhode Island, authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 306) is modified to direct the Secretary to undertake the necessary repairs to the barrier, as identified in the Condition Survey and Technical Assessment dated April 1998 with Supplement dated August 1998, at a total cost of $3,000,000, with an estimated Federal cost of $1,950,000 and an estimated non-Federal cost of $1,050,000.

SEC. 103. PROJECT DEAUTHORIZATIONS.

(a) BRIDGEPORT HARBOR, CONNECTICUT.—The portion of the project for navigation, Bridgeport Harbor, Connecticut, authorized by section 101 of the River and Harbor Act of 1958 (72 Stat. 297), consisting of a 2.4-acre anchorage area 9 feet deep and an adjacent 0.60-acre anchorage area 6 feet deep, located on the west side of Johnsons River, Connecticut, is not authorized after the date of enactment of this Act.

(b) BASS HARBOR, MAINE.—

(1) DEAUTHORIZATION.—The portions of the project for navigation, Bass Harbor, Maine, authorized on May 7, 1962, under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) described in paragraph (2) are not authorized after the date of enactment of this Act.

(2) DESCRIPTION.—The portions of the project referred to in paragraph (1) are described as follows:

(A) Beginning at a bend in the project, N149040.00, E538505.00, thence running easterly about 50.00 feet along the northern limit of the project to a point, N149061.55, E538550.11, thence running southerly about 642.08 feet to a point, N148477.64, E538817.18, thence running southwesterly about 156.27 feet to a point on the westerly limit of the project, N148348.50, E538737.02, thence running northerly about 149.00 feet along the westerly limit of the project to a bend in the project, N148489.22, E538768.09, thence running northwesterly about 610.39 feet along the westerly limit of the project to the point of origin.

(B) Beginning at a point on the westerly limit of the project, N148118.55, E538689.05, thence running southeasterly about 91.92 feet to a point, N148041.43, E538739.07, thence running southerly about 65.00 feet to a point, N147977.86, E538725.51, thence running southwesterly about 91.92 feet to a point on the westerly limit of the project, N147927.84, E538648.39, thence running northerly about 195.00 feet along the westerly limit of the project to the point of origin.

(c) BOOTHBAY HARBOR, MAINE.—The project for navigation, Boothbay Harbor, Maine, authorized by the Act of July 25, 1912 (37 Stat. 201, chapter 253), is not authorized after the date of enactment of this Act.

(d) EAST BOOTHBAY HARBOR, MAINE.—Section 364 of the Water Resources Development Act of 1996 (110 Stat. 3731) is amended by striking paragraph (9) and inserting the following:

''(9) EAST BOOTHBAY HARBOR, MAINE.—The project for navigation, East Boothbay Harbor, Maine, authorized by the first section of the Act entitled 'An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes', approved June 25, 1910 (36 Stat. 657).''.

SEC. 104. STUDIES.

(a) CADDO LEVEE, RED RIVER BELOW DENISON DAM, ARIZONA, LOUISIANA, OKLAHOMA, AND TEXAS.—The Secretary shall conduct a study to determine the feasibility of undertaking a project for flood control, Caddo Levee, Red River Below Denison Dam, Arizona, Louisiana, Oklahoma, and Texas, including incorporating the existing levee, along Twelve Mile Bayou from its juncture with the existing Red River Below Denison Dam Levee approximately 26 miles upstream to its terminus at high ground in the vicinity of Black Bayou, Louisiana.

(b) FIELDS LANDING CHANNEL, HUMBOLDT HARBOR, CALIFORNIA.—The Secretary—

(1) shall conduct a study for the project for navigation, Fields Landing Channel, Humboldt Harbor and Bay, California, to a depth of minus 35 feet (MLLW), and for that purpose may use any feasibility report prepared by the non-Federal sponsor under section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231) for which reimbursement of the Federal share of the study is authorized subject to the availability of appropriations; and

(2) may carry out the project under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), if the Secretary determines that the project is feasible.

(c) STRAWBERRY CREEK, BERKELEY, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of restoring Strawberry Creek, Berkeley, California, and the Federal interest in environmental restoration, conservation of fish and wildlife resources, recreation, and water quality.

(d) WEST SIDE STORM WATER RETENTION FACILITY, CITY OF LANCASTER, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of undertaking measures to construct the West Side Storm Water Retention Facility in the city of Lancaster, California.

(e) APALACHICOLA RIVER, FLORIDA.—The Secretary shall conduct a study for the purpose of identifying—

(1) alternatives for the management of material dredged in connection with operation and maintenance of the Apalachicola River Navigation Project; and

(2) alternatives that reduce the requirements for such dredging.

(f) BROWARD COUNTY, SAND BYPASSING AT PORT EVERGLADES, FLORIDA.—The Secretary shall conduct a study to determine the feasibility of constructing a sand bypassing project at the Port Everglades Inlet, Florida.

(g) CITY OF DESTIN-NORIEGA POINT BREAKWATER, FLORIDA.—The Secretary shall conduct a study to determine the feasibility of—

(1) restoring Noriega Point, Florida, to serve as a breakwater for Destin Harbor; and

(2) including Noriega Point as part of the East Pass, Florida, navigation project.

(h) GATEWAY TRIANGLE REDEVELOPMENT AREA, FLORIDA.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of undertaking measures to reduce the flooding problems in the vicinity of Gateway Triangle Redevelopment Area, Florida.

(2) STUDIES AND REPORTS.—The study shall include a review and consideration of studies and reports completed by the non-Federal interests.

(i) CITY OF PLANT CITY, FLORIDA.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of a flood control project in the city of Plant City, Florida.

(2) STUDIES AND REPORTS.—In conducting the study, the Secretary shall review and consider studies and reports completed by the non-Federal interests.

(j) GOOSE CREEK WATERSHED, OAKLEY, IDAHO.—The Secretary shall conduct a study to determine the feasibility of undertaking flood damage reduction, water conservation, ground water recharge, ecosystem restoration, and related purposes along the Goose Creek watershed near Oakley, Idaho.

(k) LITTLE WOOD RIVER, GOODING, IDAHO.—The Secretary shall conduct a study to determine the feasibility of restoring and repairing the Lava Rock Little Wood River Containment System to prevent flooding in the city of Gooding, Idaho.

(l) SNAKE RIVER AND PAYETTE RIVER, IDAHO.—The Secretary shall conduct a study to determine the feasibility of a flood control project along the Snake River and Payette River, in the vicinity of Payette, Idaho.

(m) ACADIANA NAVIGATION CHANNEL, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of assuming operations and maintenance for the Acadiana Navigation Channel located in Iberia and Vermillion Parishes, Louisiana.

(n) CAMERON PARISH WEST OF CALCASIEU RIVER, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of a storm damage reduction and ecosystem restoration project for Cameron Parish west of Calcasieu River, Louisiana.

(o) BENEFICIAL USE OF DREDGED MATERIAL, COASTAL LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of using dredged material from maintenance activities at Federal navigation projects in coastal Louisiana to benefit coastal areas in the State.

(p) CONTRABAND BAYOU NAVIGATION CHANNEL, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of assuming the maintenance at Contraband Bayou, Calcasieu River Ship Canal, Louisiana.

(q) GOLDEN MEADOW LOCK, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of converting the Golden Meadow floodgate into a navigation lock to be included in the Larose to Golden Meadow Hurricane Protection Project, Louisiana.

(r) GULF INTRACOASTAL WATERWAY ECOSYSTEM PROTECTION, CHEF MENTEUR TO SABINE RIVER, LOUISIANA.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of undertaking ecosystem restoration and protection measures along the Gulf Intracoastal Waterway from Chef Menteur to Sabine River, Louisiana.

(2) MATTERS TO BE ADDRESSED.—The study shall address saltwater intrusion, tidal scour, erosion, and other water resources related problems in that area.

(s) LAKE PONTCHARTRAIN, LOUISIANA, AND VICINITY, ST. CHARLES PARISH PUMPS.—The Secretary shall conduct a study to determine the feasibility of modifying the Lake Pontchartrain Hurricane Protection Project to include the St. Charles Parish Pumps and the modification of the seawall fronting protection along Lake Pontchartrain in Orleans Parish, from New Basin Canal on the west to the Inner Harbor Navigation Canal on the east.

(t) LAKE PONTCHARTRAIN AND VICINITY SEAWALL RESTORATION, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of undertaking structural modifications of that portion of the seawall fronting protection along the south shore of Lake Pontchartrain in Orleans Parish, Louisiana, extending approximately 5 miles from the new basin Canal on the west to the Inner Harbor Navigation Canal on the east as a part of the Lake Pontchartrain and Vicinity Hurricane Protection Project, authorized by section 204 of the Flood Control Act of 1965 (79 Stat. 1077).

(u) DETROIT RIVER, MICHIGAN, GREENWAY CORRIDOR STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of a project for shoreline protection, frontal erosion, and associated purposes in the Detroit River shoreline area from the Belle Isle Bridge to the Ambassador Bridge in Detroit, Michigan.

(2) POTENTIAL MODIFICATIONS.—As a part of the study, the Secretary shall review potential project modifications to any existing Corps projects within the same area.

(v) ST. CLAIR SHORES FLOOD CONTROL, MICHIGAN.—The Secretary shall conduct a study to determine the feasibility of constructing a flood control project at St. Clair Shores, Michigan.

(w) WOODTICK PENINSULA, MICHIGAN, AND TOLEDO HARBOR, OHIO.—The Secretary shall conduct a study to determine the feasibility of utilizing dredged material from Toledo Harbor, Ohio, to provide erosion reduction, navigation, and ecosystem restoration at Woodtick Peninsula, Michigan.

(x) TUNICA LAKE WEIR, MISSISSIPPI.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of constructing an outlet weir at Tunica Lake, Tunica County, Mississippi, and Lee County, Arkansas, for the purpose of stabilizing water levels in the Lake.

(2) ECONOMIC ANALYSIS.—In carrying out the study, the Secretary shall include as a part of the economic analysis the benefits derived from recreation uses at the Lake and economic benefits associated with restoration of fish and wildlife habitat.

(y) PROTECTIVE FACILITIES FOR THE ST. LOUIS, MISSOURI, RIVERFRONT AREA.—

(1) STUDY.—The Secretary shall conduct a study to determine the optimal plan to protect facilities that are located on the Mississippi River riverfront within the boundaries of St. Louis, Missouri.

(2) REQUIREMENTS.—In conducting the study, the Secretary shall—

(A) evaluate alternatives to offer safety and security to facilities; and

(B) use state-of-the-art techniques to best evaluate the current situation, probable solutions, and estimated costs.

(3) REPORT.—Not later than April 15, 1999, the Secretary shall submit to Congress a report on the results of the study.

(z) YELLOWSTONE RIVER, MONTANA.—

(1) STUDY.—The Secretary shall conduct a comprehensive study of the Yellowstone River from Gardiner, Montana to the confluence of the Missouri River to determine the hydrologic,

biological, and socioeconomic cumulative impacts on the river.

(2) CONSULTATION AND COORDINATION.—The Secretary shall conduct the study in consultation with the United States Fish and Wildlife Service, the United States Geological Survey, and the Natural Resources Conservation Service and with the full participation of the State of Montana and tribal and local entities, and provide for public participation.

(3) REPORT.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit a report to Congress on the results of the study.

(aa) LAS VEGAS VALLEY, NEVADA.—

(1) IN GENERAL.—The Secretary shall conduct a comprehensive study of water resources located in the Las Vegas Valley, Nevada.

(2) OBJECTIVES.—The study shall identify problems and opportunities related to ecosystem restoration, water quality, particularly the quality of surface runoff, water supply, and flood control.

(bb) OSWEGO RIVER BASIN, NEW YORK.—The Secretary shall conduct a study to determine the feasibility of establishing a flood forecasting system within the Oswego River basin, New York.

(cc) PORT OF NEW YORK-NEW JERSEY NAVIGATION STUDY AND ENVIRONMENTAL RESTORATION STUDY.—

(1) NAVIGATION STUDY.—The Secretary shall conduct a comprehensive study of navigation needs at the Port of New York-New Jersey (including the South Brooklyn Marine and Red Hook Container Terminals, Staten Island, and adjacent areas) to address improvements, including deepening of existing channels to depths of 50 feet or greater, that are required to provide economically efficient and environmentally sound navigation to meet current and future requirements.

(2) ENVIRONMENTAL RESTORATION STUDY.—The Secretary, acting through the Chief of Engineers, shall review the report of the Chief of Engineers on the New York Harbor, printed in the House Management Plan of the Harbor Estuary Program, and other pertinent reports concerning the New York Harbor Region and the Port of New York-New Jersey, to determine the Federal interest in advancing harbor environmental restoration.

(3) REPORT.—The Secretary may use funds from the ongoing navigation study for New York and New Jersey Harbor to complete a reconnaissance report for environmental restoration by December 31, 1999. The navigation study to deepen New York and New Jersey Harbor shall consider beneficial use of dredged material.

(dd) BANK STABILIZATION, MISSOURI RIVER, NORTH DAKOTA.—

(1) STUDY.—

(A) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of bank stabilization on the Missouri River between the Garrison Dam and Lake Oahe in North Dakota.

(B) ELEMENTS.—In conducting the study, the Secretary shall study—

(i) options for stabilizing the erosion sites on the banks of the Missouri River between the Garrison Dam and Lake Oahe identified in the report developed by the North Dakota State Water Commission, dated December 1997, including stabilization through nontraditional measures;

(ii) the cumulative impact of bank stabilization measures between the Garrison Dam and Lake Oahe on fish and wildlife habitat and the potential impact of additional stabilization measures, including the impact of nontraditional stabilization measures;

(iii) the current and future effects, including economic and fish and wildlife habitat effects, that bank erosion is having on creating the delta at the beginning of Lake Oahe; and

(iv) the impact of taking no additional measures to stabilize the banks of the Missouri River between the Garrison Dam and Lake Oahe.

(C) INTERESTED PARTIES.—In conducting the study, the Secretary shall, to the maximum extent practicable, seek the participation and views of interested Federal, State, and local agencies, landowners, conservation organizations, and other persons.

(D) REPORT.—

(i) IN GENERAL.—The Secretary shall report to Congress on the results of the study not later than 1 year after the date of enactment of this Act.

(ii) STATUS.—If the Secretary cannot complete the study and report to Congress by the day that is 1 year after the date of enactment of this Act, the Secretary shall, by that day, report to Congress on the status of the study and report, including an estimate of the date of completion.

(2) EFFECT ON EXISTING PROJECTS.—This subsection does not preclude the Secretary from establishing or carrying out a stabilization project that is authorized by law.

(ee) CLEVELAND HARBOR, CLEVELAND, OHIO.—The Secretary shall conduct a study to determine the feasibility of undertaking repairs and related navigation improvements at Dike 14, Cleveland, Ohio.

(ff) EAST LAKE, VERMILLION AND CHAGRIN, OHIO.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of undertaking flood damage reduction at East Lake, Vermillion and Chagrin, Ohio.

(2) ICE RETENTION STRUCTURE.—In conducting the study, the Secretary may consider construction of an ice retention structure as a potential means of providing flood damage reduction.

(gg) TOUSSAINT RIVER, CARROLL TOWNSHIP, OHIO.—The Secretary shall conduct a study to determine the feasibility of undertaking navigation improvements at Toussaint River, Carroll Township, Ohio.

(hh) SANTEE DELTA WETLAND HABITAT, SOUTH CAROLINA.—Not later than 18 months after the date of enactment of this Act, the Secretary shall complete a comprehensive study of the ecosystem in the Santee Delta focus area of South Carolina to determine the feasibility of undertaking measures to enhance the wetland habitat in the area.

(ii) WACCAMAW RIVER, SOUTH CAROLINA.—The Secretary shall conduct a study to determine the feasibility of a flood control project for the Waccamaw River in Horry County, South Carolina.

(jj) UPPER SUSQUEHANNA-LACKAWANNA, PENNSYLVANIA, WATERSHED MANAGEMENT AND RESTORATION STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of a comprehensive flood plain management and watershed restoration project for the Upper Susquehanna-Lackawanna Watershed, Pennsylvania.

(2) GEOGRAPHIC INFORMATION SYSTEM.—In conducting the study, the Secretary shall use a geographic information system.

(3) PLANS.—The study shall formulate plans for comprehensive flood plain management and environmental restoration.

(4) CREDITING.—Non-Federal interests may receive credit for in-kind services and materials that contribute to the study. The Secretary may credit non-Corps Federal assistance provided to the non-Federal interest toward the non-Federal share of study costs to the maximum extent authorized by law.

(kk) NIOBRARA RIVER AND MISSOURI RIVER SEDIMENTATION STUDY, SOUTH DAKOTA.—The Secretary shall conduct a study of the Niobrara River watershed and the operations of Fort Randall Dam and Gavins Point Dam on the Missouri River to determine the feasibility of alleviating the bank erosion, sedimentation, and related problems in the lower Niobrara River and the Missouri River below Fort Randall Dam.

(ll) SANTA CLARA RIVER, UTAH.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of undertaking measures to alleviate damage caused by flooding, bank erosion, and sedimentation along the watershed of the Santa Clara River, Utah, above the Gunlock Reservoir.

(2) CONTENTS.—The study shall include an analysis of watershed conditions and water quality, as related to flooding and bank erosion, along the Santa Clara River in the vicinity of the town of Gunlock, Utah.

(mm) AGAT SMALL BOAT HARBOR, GUAM.—The Secretary shall conduct a study to determine the feasibility of undertaking the repair and reconstruction of Agat Small Boat Harbor, Guam, including the repair of existing shore protection measures and construction or a revetment of the breakwater seawall.

(nn) APRA HARBOR SEAWALL, GUAM.—The Secretary shall conduct a study to determine the feasibility of undertaking measures to repair, upgrade, and extend the seawall protecting Apra Harbor, Guam, and to ensure continued access to the harbor via Route 11B.

(oo) APRA HARBOR FUEL PIERS, GUAM.—The Secretary shall conduct a study to determine the feasibility of undertaking measures to upgrade the piers and fuel transmission lines at the fuel piers in the Apra Harbor, Guam, and measures to provide for erosion control and protection against storm damage.

(pp) MAINTENANCE DREDGING OF HARBOR PIERS, GUAM.—The Secretary shall conduct a study to determine the feasibility of Federal maintenance of areas adjacent to piers at harbors in Guam, including Apra Harbor, Agat Harbor, and Agana Marina.

(qq) ALTERNATIVE WATER SOURCES STUDY.—

(1) IN GENERAL.—The Administrator of the Environmental Protection Agency shall conduct a study of the water supply needs of States that are not currently eligible for assistance under title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h et seq.).

(2) REQUIREMENTS.—The study shall—

(A) identify the water supply needs (including potable, commercial, industrial, recreational and agricultural needs) of each State described in paragraph (1) through 2020, making use of such State, regional, and local plans, studies, and reports as are available;

(B) evaluate the feasibility of various alternative water source technologies such as reuse and reclamation of wastewater and stormwater (including indirect potable reuse), aquifer storage and recovery, and desalination to meet the anticipated water supply needs of the States; and

(C) assess how alternative water sources technologies can be utilized to meet the identified needs.

(3) REPORT.—The Administrator shall report to Congress on the results of the study not more than 180 days after the date of enactment of this Act.

TITLE II—GENERAL PROVISIONS

SEC. 201. FLOOD HAZARD MITIGATION AND RIVERINE ECOSYSTEM RESTORATION PROGRAM.

(a) IN GENERAL.—

(1) AUTHORIZATION.—The Secretary may carry out a program to reduce flood hazards and restore the natural functions and values of riverine ecosystems throughout the United States.

(2) STUDIES.—In carrying out the program, the Secretary shall conduct studies to identify appropriate flood damage reduction, conservation, and restoration measures and may design and implement watershed management and restoration projects.

(3) PARTICIPATION.—The studies and projects carried out under the program shall be conducted, to the extent practicable, with the full participation of the appropriate Federal agencies, including the Department of Agriculture, the Federal Emergency Management Agency, the Department of the Interior, the Environmental Protection Agency, and the Department of Commerce.

(4) NONSTRUCTURAL APPROACHES.—The studies and projects shall, to the extent practicable, emphasize nonstructural approaches to preventing or reducing flood damages.

(b) COST-SHARING REQUIREMENTS.—

(1) STUDIES.—The cost of studies conducted under subsection (a) shall be shared in accordance with section 105 of the Water Resources Development Act of 1986 (33 Stat. 2215).

(2) PROJECTS.—The non-Federal interests shall pay 35 percent of the cost of any project carried out under this section.

(3) IN-KIND CONTRIBUTIONS.—The non-Federal interests shall provide all land, easements, rights-of-way, dredged material disposal areas, and relocations necessary for the projects. The value of the land, easements, rights-of-way, dredged material disposal areas, and relocations shall be credited toward the payment required under this subsection.

(4) RESPONSIBILITIES OF THE NON-FEDERAL INTERESTS.—The non-Federal interests shall be responsible for all costs associated with operating, maintaining, replacing, repairing, and rehabilitating all projects carried out under this section.

(c) PROJECT JUSTIFICATION.—

(1) IN GENERAL.—The Secretary may implement a project under this section if the Secretary determines that the project—

(A) will significantly reduce potential flood damages;

(B) will improve the quality of the environment; and

(C) is justified considering all costs and beneficial outputs of the project.

(2) SELECTION CRITERIA; POLICIES AND PROCEDURES.—Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(A) develop criteria for selecting and rating the projects to be carried out as part of the program authorized by this section; and

(B) establish policies and procedures for carrying out the studies and projects undertaken under this section.

(d) REPORTING REQUIREMENT.—The Secretary may not implement a project under this section until—

(1) the Secretary provides to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written notification describing the project and the determinations made under subsection (c); and

(2) a period of 21 calendar days has expired following the date on which the notification was received by the Committees.

(e) PRIORITY AREAS.—In carrying out this section, the Secretary shall examine the potential for flood damage reductions at appropriate locations, including—

(1) Le May, Missouri;

(2) the upper Delaware River basin, New York;

(3) Mill Creek, Cincinnati, Ohio;

(4) Tillamook County, Oregon;

(5) Willamette River basin, Oregon; and

(6) Providence County, Rhode Island.

(f) PER-PROJECT LIMITATION.—Not more than $25,000,000 in Army Civil Works appropriations may be expended on any single project undertaken under this section.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $75,000,000 for the period of fiscal years 2000 and 2001.

(2) PROGRAM FUNDING LEVELS.—All studies and projects undertaken under this authority from Army Civil Works appropriations shall be fully funded within the program funding levels provided in this subsection.

SEC. 202. SHORE PROTECTION.

Section 103(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(d)) is amended—

(1) by striking ''Costs of constructing'' and inserting the following:

''(1) CONSTRUCTION.—Costs of constructing''; and

(2) by adding at the end the following:

''(2) PERIODIC NOURISHMENT.—In the case of a project authorized for construction after December 31, 1999, or for which a feasibility study is completed after that date, the non-Federal cost of the periodic nourishment of projects or measures for shore protection or beach erosion control shall be 50 percent, except that—

''(A) all costs assigned to benefits to privately owned shores (where use of such shores is limited to private interests) or to prevention of losses of private land shall be borne by non-Federal interests; and

''(B) all costs assigned to the protection of federally owned shores shall be borne by the United States.''.

SEC. 203. SMALL FLOOD CONTROL AUTHORITY.

Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is amended—

(1) in the first sentence, by striking ''construction of small projects'' and inserting ''implementation of small structural and nonstructural projects''; and

(2) in the third sentence, by striking ''$5,000,000'' and inserting ''$7,000,000''.

SEC. 204. USE OF NON-FEDERAL FUNDS FOR COMPILING AND DISSEMINATING INFORMATION ON FLOODS AND FLOOD DAMAGES.

Section 206(b) of the Flood Control Act of 1960 (33 U.S.C. 709a(b)) is amended in the third sentence by inserting before the period at the end the following: '', but the Secretary of the Army may accept funds voluntarily contributed by such entities for the purpose of expanding the scope of the services requested by the entities''.

SEC. 205. AQUATIC ECOSYSTEM RESTORATION.

Section 206(c) of the Water Resources Development Act of 1996 (33 U.S.C. 2330(c)) is amended—

(1) by striking ''Construction'' and inserting the following:

''(1) IN GENERAL.—Construction''; and

(2) by adding at the end the following:

''(2) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), for any project carried out under this section, a non-Federal interest may include a nonprofit entity, with the consent of the affected local government.''.

SEC. 206. BENEFICIAL USES OF DREDGED MATERIAL.

Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) is amended by adding at the end the following:

''(g) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), for any project carried out under this section, a non-Federal interest may include a nonprofit entity, with the consent of the affected local government.''.

SEC. 207. VOLUNTARY CONTRIBUTIONS BY STATES AND POLITICAL SUBDIVISIONS.

Section 5 of the Act of June 22, 1936 (33 U.S.C. 701h), is amended by inserting ''or environmental restoration'' after ''flood control''.

SEC. 208. RECREATION USER FEES.

(a) WITHHOLDING OF AMOUNTS.—

(1) IN GENERAL.—During fiscal years 1999 through 2002, the Secretary may withhold from the special account established under section 4(i)(1)(A) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–6a(i)(1)(A)) 100 percent of the amount of receipts above a baseline of $34,000,000 per each fiscal year received from fees imposed at recreation sites under the administrative jurisdiction of the Department of the Army under section 4(b) of that Act (16 U.S.C. 460l–6a(b)).

(2) USE.—The amounts withheld shall be retained by the Secretary and shall be available, without further Act of appropriation, for expenditure by the Secretary in accordance with subsection (b).

(3) AVAILABILITY.—The amounts withheld shall remain available until September 30, 2005.

(b) USE OF AMOUNTS WITHHELD.—In order to increase the quality of the visitor experience at public recreational areas and to enhance the protection of resources, the amounts withheld under subsection (a) may be used only for—

(1) repair and maintenance projects (including projects relating to health and safety);

(2) interpretation;

(3) signage;

(4) habitat or facility enhancement;

(5) resource preservation;

(6) annual operation (including fee collection);

(7) maintenance; and

(8) law enforcement related to public use.

(c) AVAILABILITY.—Each amount withheld by the Secretary shall be available for expenditure, without further Act of appropriation, at the specific project from which the amount, above baseline, is collected.

SEC. 209. WATER RESOURCES DEVELOPMENT STUDIES FOR THE PACIFIC REGION.

Section 444 of the Water Resources Development Act of 1996 (110 Stat. 3747) is amended by striking ''interest of navigation'' and inserting ''interests of water resources development (including navigation, flood damage reduction, and environmental restoration)''.

SEC. 210. MISSOURI AND MIDDLE MISSISSIPPI RIVERS ENHANCEMENT PROJECT.

(a) DEFINITIONS.—In this section:

(1) MIDDLE MISSISSIPPI RIVER.—The term ''middle Mississippi River'' means the reach of the Mississippi River from the mouth of the Ohio River (river mile 0, upper Mississippi River) to the mouth of the Missouri River (river mile 195).

(2) MISSOURI RIVER.—The term ''Missouri River'' means the main stem and floodplain of the Missouri River (including reservoirs) from its confluence with the Mississippi River at St. Louis, Missouri, to its headwaters near Three Forks, Montana.

(3) PROJECT.—The term ''project'' means the project authorized by this section.

(b) PROTECTION AND ENHANCEMENT ACTIVITIES.—

(1) PLAN.—

(A) DEVELOPMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop a plan for a project to protect and enhance fish and wildlife habitat of the Missouri River and the middle Mississippi River.

(B) ACTIVITIES.—

(i) IN GENERAL.—The plan shall provide for such activities as are necessary to protect and enhance fish and wildlife habitat without adversely affecting—

(I) the water-related needs of the region surrounding the Missouri River and the middle Mississippi River, including flood control, navigation, recreation, and enhancement of water supply; and

(II) private property rights.

(ii) REQUIRED ACTIVITIES.—The plan shall include—

(I) modification and improvement of navigation training structures to protect and enhance fish and wildlife habitat;

(II) modification and creation of side channels to protect and enhance fish and wildlife habitat;

(III) restoration and creation of island fish and wildlife habitat;

(IV) creation of riverine fish and wildlife habitat;

(V) establishment of criteria for prioritizing the type and sequencing of activities based on cost-effectiveness and likelihood of success; and

(VI) physical and biological monitoring for evaluating the success of the project, to be performed by the River Studies Center of the United States Geological Survey in Columbia, Missouri.

(2) IMPLEMENTATION OF ACTIVITIES.—

(A) IN GENERAL.—Using funds made available to carry out this section, the Secretary shall carry out the activities described in the plan.

(B) USE OF EXISTING AUTHORITY FOR UNCONSTRUCTED FEATURES OF THE PROJECT.—Using funds made available to the Secretary under other law, the Secretary shall design and construct any feature of the project that may be carried out using the authority of the Secretary to modify an authorized project, if the Secretary determines that the design and construction will—

(i) accelerate the completion of activities to protect and enhance fish and wildlife habitat of the Missouri River or the middle Mississippi River; and

(ii) be compatible with the project purposes described in this section.

(c) INTEGRATION OF OTHER ACTIVITIES.—

(1) IN GENERAL.—In carrying out the activities described in subsection (b), the Secretary shall integrate the activities with other Federal, State, and tribal activities.

(2) NEW AUTHORITY.—Nothing in this section confers any new regulatory authority on any Federal or non-Federal entity that carries out any activity authorized by this section.

(d) PUBLIC PARTICIPATION.—In developing and carrying out the plan and the activities described in subsection (b), the Secretary shall provide for public review and comment in accordance with applicable Federal law, including—

(1) providing advance notice of meetings;

(2) providing adequate opportunity for public input and comment;

(3) maintaining appropriate records; and

(4) compiling a record of the proceedings of meetings.

(e) COMPLIANCE WITH APPLICABLE LAW.—In carrying out the activities described in subsections (b) and (c), the Secretary shall comply with any applicable Federal law, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(f) COST SHARING.—

(1) NON-FEDERAL SHARE.—The non-Federal share of the cost of the project shall be 35 percent.

(2) FEDERAL SHARE.—The Federal share of the cost of any 1 activity described in subsection (b) shall not exceed $5,000,000.

(3) OPERATION AND MAINTENANCE.—The operation and maintenance of the project shall be a non-Federal responsibility.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to pay the Federal share of the cost of carrying out activities under this section $30,000,000 for the period of fiscal years 2000 and 2001.

SEC. 211. OUTER CONTINENTAL SHELF.

(a) SAND, GRAVEL, AND SHELL.—Section 8(k)(2)(B) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(k)(2)(B)) is amended in the second sentence by inserting before the period at the end the following: ''or any other non-Federal interest subject to an agreement entered into under section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b)''.

(b) REIMBURSEMENT FOR LOCAL INTERESTS.—Any amounts paid by non-Federal interests for beach erosion control, hurricane protection, shore protection, or storm damage reduction projects as a result of an assessment under section 8(k) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(k)) shall be fully reimbursed.

SEC. 212. ENVIRONMENTAL DREDGING.

Section 312(f) of the Water Resources Development Act of 1990 (33 U.S.C. 1272(f)) is amended by adding at the end the following:

''(6) Snake Creek, Bixby, Oklahoma.

''(7) Willamette River, Oregon.''.

SEC. 213. BENEFIT OF PRIMARY FLOOD DAMAGES AVOIDED INCLUDED IN BENEFIT-COST ANALYSIS.

Section 308 of the Water Resources Development Act of 1990 (33 U.S.C. 2318) is amended—

(1) in the heading of subsection (a), by striking ''BENEFIT-COST ANALYSIS'' and inserting ''ELEMENTS EXCLUDED FROM COST-BENEFIT ANALYSIS'';

(2) by redesignating subsections (b) through (e) as subsections (c) through (f), respectively;

(3) by inserting after subsection (a) the following:

''(b) ELEMENTS INCLUDED IN COST-BENEFIT ANALYSIS.—The Secretary shall include primary flood damages avoided in the benefit base for justifying Federal nonstructural flood damage reduction projects.''; and

(4) in the first sentence of subsection (e) (as redesignated by paragraph (2)), by striking ''(b)'' and inserting ''(d)''.

SEC. 214. CONTROL OF AQUATIC PLANT GROWTH.

Section 104(a) of the River and Harbor Act of 1958 (33 U.S.C. 610(a)) is amended—

(1) by inserting ''Arundo dona,'' after ''water-hyacinth,''; and

(2) by inserting ''tarmarix'' after ''melaleuca''.

SEC. 215. ENVIRONMENTAL INFRASTRUCTURE.

Section 219(c) of the Water Resources Development Act of 1992 (106 Stat. 4835) is amended by adding at the end the following:

''(19) LAKE TAHOE, CALIFORNIA AND NEVADA.—Regional water system for Lake Tahoe, California and Nevada.

''(20) LANCASTER, CALIFORNIA.—Fox Field Industrial Corridor water facilities, Lancaster, California.

''(21) SAN RAMON, CALIFORNIA.—San Ramon Valley recycled water project, San Ramon, California.''.

SEC. 216. WATERSHED MANAGEMENT, RESTORATION, AND DEVELOPMENT.

Section 503 of the Water Resources Development Act of 1996 (110 Stat. 3756) is amended—

(1) in subsection (d)—

(A) by striking paragraph (10) and inserting the following:

''(10) Regional Atlanta Watershed, Atlanta, Georgia, and Lake Lanier of Forsyth and Hall Counties, Georgia.''; and

(B) by adding at the end the following:

''(14) Clear Lake watershed, California.

''(15) Fresno Slough watershed, California.

''(16) Hayward Marsh, Southern San Francisco Bay watershed, California.

''(17) Kaweah River watershed, California.

''(18) Lake Tahoe watershed, California and Nevada.

''(19) Malibu Creek watershed, California.

''(20) Truckee River basin, Nevada.

''(21) Walker River basin, Nevada.

''(22) Bronx River watershed, New York.

''(23) Catawba River watershed, North Carolina.'';

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (d) the following:

''(e) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), for any project undertaken under this section, with the consent of the affected local government, a non-Federal interest may include a nonprofit entity.''.

SEC. 217. LAKES PROGRAM.

Section 602(a) of the Water Resources Development Act of 1986 (100 Stat. 4148) is amended—

(1) in paragraph (15), by striking ''and'' at the end;

(2) in paragraph (16), by striking the period at the end; and

(3) by adding at the end the following:

''(17) Clear Lake, Lake County, California, removal of silt and aquatic growth and development of a sustainable weed and algae management program;

''(18) Flints Pond, Hollis, New Hampshire, removal of excessive aquatic vegetation; and

''(19) Osgood Pond, Milford, New Hampshire, removal of excessive aquatic vegetation.''.

SEC. 218. SEDIMENTS DECONTAMINATION POLICY.

Section 405 of the Water Resources Development Act of 1992 (33 U.S.C. 2239 note; Public Law 102–580) is amended—

(1) in subsection (a), by adding at the end the following:

''(4) PRACTICAL END-USE PRODUCTS.—Technologies selected for demonstration at the pilot scale shall result in practical end-use products.

''(5) ASSISTANCE BY THE SECRETARY.—The Secretary shall assist the project to ensure expeditious completion by providing sufficient quantities of contaminated dredged material to conduct the full-scale demonstrations to stated capacity.''; and

(2) in subsection (c), by striking the first sentence and inserting the following: ''There is authorized to be appropriated to carry out this section a total of $22,000,000 to complete technology testing, technology commercialization, and the development of full scale processing facilities within the New York/New Jersey Harbor.''.

SEC. 219. DISPOSAL OF DREDGED MATERIAL ON BEACHES.

(a) IN GENERAL.—Section 145 of the Water Resources Development Act of 1976 (33 U.S.C. 426j) is amended in the first sentence by striking ''50'' and inserting ''35''.

(b) GREAT LAKES BASIN.—The Secretary shall work with the State of Ohio, other Great Lakes States, and political subdivisions of the States to fully implement and maximize beneficial reuse of dredged material as provided under section 145 of the Water Resources Development Act of 1976 (33 U.S.C. 426j).

SEC. 220. FISH AND WILDLIFE MITIGATION.

Section 906(e) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(e)) is amended by inserting after the second sentence the following: ''Not more than 80 percent of the non-Federal share of such first costs may be in kind, including a facility, supply, or service that is necessary to carry out the enhancement project.''.

SEC. 221. REIMBURSEMENT OF NON-FEDERAL INTEREST.

Section 211(e)(2)(A) of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13(e)(2)(A)) is amended by striking ''subject to amounts being made available in advance in appropriations Acts'' and inserting ''subject to the availability of appropriations''.

SEC. 222. NATIONAL CONTAMINATED SEDIMENT TASK FORCE.

(a) DEFINITION OF TASK FORCE.—In this section, the term ''Task Force'' means the National Contaminated Sediment Task Force established by section 502 of the National Contaminated Sediment Assessment and Management Act (33 U.S.C. 1271 note; Public Law 102–580).

(b) CONVENING.—The Secretary and the Administrator shall convene the Task Force not later than 90 days after the date of enactment of this Act.

(c) REPORTING ON REMEDIAL ACTION.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Task Force shall submit to Congress a report on the status of remedial actions at aquatic sites in the areas described in paragraph (2).

(2) AREAS.—The report under paragraph (1) shall address remedial actions in—

(A) areas of probable concern identified in the survey of data regarding aquatic sediment quality required by section 503(a) of the National Contaminated Sediment Assessment and Management Act (33 U.S.C. 1271);

(B) areas of concern within the Great Lakes, as identified under section 118(f) of the Federal Water Pollution Control Act (33 U.S.C. 1268(f));

(C) estuaries of national significance identified under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330);

(D) areas for which remedial action has been authorized under any of the Water Resources Development Acts; and

(E) as appropriate, any other areas where sediment contamination is identified by the Task Force.

(3) ACTIVITIES.—Remedial actions subject to reporting under this subsection include remedial actions under—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or other Federal or State law containing environmental remediation authority;

(B) any of the Water Resources Development Acts;

(C) section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344); or

(D) section 10 of the Act of March 3, 1899 (30 Stat. 1151, chapter 425).

(4) CONTENTS.—The report under paragraph (1) shall provide, with respect to each remedial action described in the report, a description of—

(A) the authorities and sources of funding for conducting the remedial action;

(B) the nature and sources of the sediment contamination, including volume and concentration, where appropriate;

(C) the testing conducted to determine the nature and extent of sediment contamination and to determine whether the remedial action is necessary;

(D) the action levels or other factors used to determine that the remedial action is necessary;

(E) the nature of the remedial action planned or undertaken, including the levels of protection of public health and the environment to be achieved by the remedial action;

(F) the ultimate disposition of any material dredged as part of the remedial action;

(G) the status of projects and the obstacles or barriers to prompt conduct of the remedial action; and

(H) contacts and sources of further information concerning the remedial action.

SEC. 223. GREAT LAKES BASIN PROGRAM.

(a) STRATEGIC PLANS.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, and every 2 years thereafter, the Secretary shall report to Congress on a plan for programs of the Corps of Engineers in the Great Lakes basin.

(2) CONTENTS.—The plan shall include details of the projected environmental and navigational projects in the Great Lakes basin, including—

(A) navigational maintenance and operations for commercial and recreational vessels;

(B) environmental restoration activities;

(C) water level maintenance activities;

(D) technical and planning assistance to States and remedial action planning committees;

(E) sediment transport analysis, sediment management planning, and activities to support prevention of excess sediment loadings;

(F) flood damage reduction and shoreline erosion prevention;

(G) all other activities of the Corps of Engineers; and

(H) an analysis of factors limiting use of programs and authorities of the Corps of Engineers in existence on the date of enactment of this Act in the Great Lakes basin, including the need for new or modified authorities.

(b) GREAT LAKES BIOHYDROLOGICAL INFORMATION.—

(1) INVENTORY.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall request each Federal agency that may possess information relevant to the Great Lakes biohydrological system to provide an inventory of all such information in the possession of the agency.

(B) RELEVANT INFORMATION.—For the purpose of subparagraph (A), relevant information includes information on—

(i) ground and surface water hydrology;

(ii) natural and altered tributary dynamics;

(iii) biological aspects of the system influenced by and influencing water quantity and water movement;

(iv) meteorological projections and weather impacts on Great Lakes water levels; and

(v) other Great Lakes biohydrological system data relevant to sustainable water use management.

(2) REPORT.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary, in consultation with the States, Indian tribes, and Federal agencies, and after requesting information from the provinces and the federal government of Canada, shall—

(i) compile the inventories of information;

(ii) analyze the information for consistency and gaps; and

(iii) submit to Congress, the International Joint Commission, and the Great Lakes States a report that includes recommendations on ways to improve the information base on the biohydrological dynamics of the Great Lakes ecosystem as a whole, so as to support environmentally sound decisions regarding diversions and consumptive uses of Great Lakes water.

(B) RECOMMENDATIONS.—The recommendations in the report under subparagraph (A) shall include recommendations relating to the resources and funds necessary for implementing improvement of the information base.

(C) CONSIDERATIONS.—In developing the report under subparagraph (A), the Secretary, in cooperation with the Secretary of State, the Secretary of Transportation, and other relevant agencies as appropriate, shall consider and report on the status of the issues described and recommendations made in—

(i) the Report of the International Joint Commission to the Governments of the United States and Canada under the 1977 reference issued in 1985; and

(ii) the 1993 Report of the International Joint Commission to the Governments of Canada and the United States on Methods of Alleviating Adverse Consequences of Fluctuating Water Levels in the Great Lakes St. Lawrence Basin.

(c) GREAT LAKES RECREATIONAL BOATING.—Not later than 18 months after the date of enactment of this Act, the Secretary shall, using information and studies in existence on the date of enactment of this Act to the maximum extent practicable, and in cooperation with the Great Lakes States, submit to Congress a report detailing the economic benefits of recreational boating in the Great Lakes basin, particularly at harbors benefiting from operation and maintenance projects of the Corps of Engineers.

(d) COOPERATION.—In undertaking activities under this section, the Secretary shall—

(1) encourage public participation; and

(2) cooperate, and, as appropriate, collaborate, with Great Lakes States, tribal governments, and Canadian federal, provincial, tribal governments.

(e) WATER USE ACTIVITIES AND POLICIES.—The Secretary may provide technical assistance to the Great Lakes States to develop interstate guidelines to improve the consistency and efficiency of State-level water use activities and policies in the Great Lakes basin.

(f) COST SHARING.—The Secretary may seek and accept funds from non-Federal entities to be used to pay up to 25 percent of the cost of carrying out subsections (b), (c), (d), and (e).

SEC. 224. PROJECTS FOR IMPROVEMENT OF THE ENVIRONMENT.

Section 1135(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2309a(c)) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(2) CONTROL OF SEA LAMPREY.—Congress finds that—

''(A) the Great Lakes navigation system has been instrumental in the spread of sea lamprey and the associated impacts to its fishery; and

''(B) the use of the authority under this subsection for control of sea lamprey at any Great Lakes basin location is appropriate.''.

SEC. 225. WATER QUALITY, ENVIRONMENTAL QUALITY, RECREATION, FISH AND WILDLIFE, FLOOD CONTROL, AND NAVIGATION.

(a) IN GENERAL.—The Secretary may investigate, study, evaluate, and report on—

(1) water quality, environmental quality, recreation, fish and wildlife, flood control, and navigation in the western Lake Erie watershed, including the watersheds of the Maumee River, Ottawa River, and Portage River in the States of Indiana, Ohio, and Michigan; and

(2) measures to improve water quality, environmental quality, recreation, fish and wildlife, flood control, and navigation in the western Lake Erie basin.

(b) COOPERATION.—In carrying out studies and investigations under subsection (a), the Secretary shall cooperate with Federal, State, and local agencies and nongovernmental organizations to ensure full consideration of all views and requirements of all interrelated programs that those agencies may develop independently or in coordination with the Corps of Engineers.

SEC. 226. IRRIGATION DIVERSION PROTECTION AND FISHERIES ENHANCEMENT ASSISTANCE.

The Secretary may provide technical planning and design assistance to non-Federal interests and may conduct other site-specific studies to formulate and evaluate fish screens, fish passages devices, and other measures to decrease the incidence of juvenile and adult fish inadvertently entering into irrigation systems. Measures shall be developed in cooperation with Federal and State resource agencies and not impair the continued withdrawal of water for irrigation purposes. In providing such assistance priority shall be given based on the objectives of the Endangered Species Act, cost-effectiveness, and the potential for reducing fish mortality. Non-Federal interests shall agree by contract to contribute 50 percent of the cost of such assistance. Not more than one-half of such non-Federal contribution may be made by the provision of services, materials, supplies, or other in-kind services. No construction activities are authorized by this section. Not later than 2 years after the date of enactment of this section, the Secretary shall report to Congress on fish mortality caused by irrigation water intake devices, appropriate measures to reduce mortality, the extent to which such measures are currently being employed in the arid States, the construction costs associated with such measures, and the appropriate Federal role, if any, to encourage the use of such measures.

SEC. 227. SMALL STORM DAMAGE REDUCTION PROJECTS.

Section 3 of the Act of August 13, 1946 (33 U.S.C. 426g), is amended by striking ''$2,000,000'' and inserting ''$3,000,000''.

SEC. 228. SHORE DAMAGE PREVENTION OR MITIGATION.

Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426(i)) is amended—

(1) in the first sentence, by striking ''The Secretary'' and inserting ''(a) IN GENERAL.—The Secretary'';

(2) in the second sentence, by striking ''The costs'' and inserting the following:

''(b) COST SHARING.—The costs'';

(3) in the third sentence—

(A) by striking ''No such'' and inserting the following:

''(c) REQUIREMENT FOR SPECIFIC AUTHORIZATION.—No such''; and

(B) by striking ''$2,000,000'' and inserting ''$5,000,000''; and

(4) by adding at the end the following:

''(d) COORDINATION.—The Secretary shall—

''(1) coordinate the implementation of the measures under this section with other Federal and non-Federal shore protection projects in the same geographic area; and

''(2) to the extent practicable, combine mitigation projects with other shore protection projects in the same area into a comprehensive regional project.''.

SEC. 229. ATLANTIC COAST OF NEW YORK.

Section 404(c) of the Water Resources Development Act of 1992 (106 Stat. 4863) is amended by striking ''$1,400,000 for each of fiscal years 1993,

1994, 1995, 1996, and 1997'' and inserting ''$2,500,000''.

SEC. 230. ACCELERATED ADOPTION OF INNOVATIVE TECHNOLOGIES FOR CONTAMINATED SEDIMENTS.

Section 8 of the Water Resources Development Act of 1988 (33 U.S.C. 2314) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following:

''(b) ACCELERATED ADOPTION OF INNOVATIVE TECHNOLOGIES FOR MANAGEMENT OF CONTAMINATED SEDIMENTS.—

''(1) TEST PROJECTS.—The Secretary shall approve an appropriate number of projects to test, under actual field conditions, innovative technologies for environmentally sound management of contaminated sediments.

''(2) DEMONSTRATION PROJECTS.—The Secretary may approve an appropriate number of projects to demonstrate innovative technologies that have been pilot tested under paragraph (1).

''(3) CONDUCT OF PROJECTS.—Each pilot project under paragraph (1) and demonstration project under paragraph (2) shall be conducted by a university with proven expertise in the research and development of contaminated sediment treatment technologies and innovative applications using waste materials.''.

TITLE III—PROJECT-RELATED PROVISIONS

SEC. 301. DREDGING OF SALT PONDS IN THE STATE OF RHODE ISLAND.

The Secretary may acquire for the State of Rhode Island a dredge and associated equipment with the capacity to dredge approximately 100 cubic yards per hour for use by the State in dredging salt ponds in the State.

SEC. 302. UPPER SUSQUEHANNA RIVER BASIN, PENNSYLVANIA AND NEW YORK.

Section 567(a) of the Water Resources Development Act of 1996 (110 Stat. 3787) is amended by adding at the end the following:

''(3) The Chemung River watershed, New York, at an estimated Federal cost of $5,000,000.''.

SEC. 303. SMALL FLOOD CONTROL PROJECTS.

Section 102 of the Water Resources Development Act of 1996 (110 Stat. 3668) is amended—

(1) by redesignating paragraphs (15) through (22) as paragraphs (16) through (23), respectively;

(2) by inserting after paragraph (14) the following:

''(15) REPAUPO CREEK AND DELAWARE RIVER, GLOUCESTER COUNTY, NEW JERSEY.—Project for tidegate and levee improvements for Repaupo Creek and the Delaware River, Gloucester County, New Jersey.''; and

(3) by adding at the end the following:

''(24) IRONDEQUOIT CREEK, NEW YORK.—Project for flood control, Irondequoit Creek watershed, New York.

''(25) TIOGA COUNTY, PENNSYLVANIA.—Project for flood control, Tioga River and Cowanesque River and their tributaries, Tioga County, Pennsylvania.''.

SEC. 304. SMALL NAVIGATION PROJECTS.

Section 104 of the Water Resources Development Act of 1996 (110 Stat. 3669) is amended—

(1) by redesignating paragraphs (9) through (12) as paragraphs (11) through (14), respectively; and

(2) by inserting after paragraph (8) the following:

''(9) FORTESCUE INLET, DELAWARE BAY, NEW JERSEY.—Project for navigation for Fortescue Inlet, Delaware Bay, New Jersey.

''(10) BRADDOCK BAY, GREECE, NEW YORK.—Project for navigation, Braddock Bay, Greece, New York.''.

SEC. 305. STREAMBANK PROTECTION PROJECTS.

(a) ARCTIC OCEAN, BARROW, ALASKA.—The Secretary shall evaluate and, if justified under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r), carry out storm damage reduction and coastal erosion measures at the town of Barrow, Alaska.

(b) SAGINAW RIVER, BAY CITY, MICHIGAN.—The Secretary may construct appropriate control structures in areas along the Saginaw River in the city of Bay City, Michigan, under authority of section 14 of the Flood Control Act of 1946 (33 Stat. 701r).

(c) YELLOWSTONE RIVER, BILLINGS, MONTANA.—The streambank protection project at Coulson Park, along the Yellowstone River, Billings, Montana, shall be eligible for assistance under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r).

(d) MONONGAHELA RIVER, POINT MARION, PENNSYLVANIA.—The Secretary shall evaluate and, if justified under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r), carry out streambank erosion control measures along the Monongahela River at the borough of Point Marion, Pennsylvania.

SEC. 306. AQUATIC ECOSYSTEM RESTORATION, SPRINGFIELD, OREGON.

Under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), the Secretary shall conduct measures to address water quality, water flows, and fish habitat restoration in the historic Springfield, Oregon, millrace through the reconfiguration of the existing millpond, if the Secretary determines that harmful impacts have occurred as the result of a previously constructed flood control project by the Corps of Engineers.

SEC. 307. GUILFORD AND NEW HAVEN, CONNECTICUT.

The Secretary shall expeditiously complete the activities authorized under section 346 of the Water Resources Development Act of 1992 (106 Stat. 4858), including activities associated with Sluice Creek in Guilford, Connecticut, and Lighthouse Point Park in New Haven, Connecticut.

SEC. 308. FRANCIS BLAND FLOODWAY DITCH.

(a) REDESIGNATION.—The project for flood control, Eight Mile Creek, Paragould, Arkansas, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4112) and known as ''Eight Mile Creek, Paragould, Arkansas'', shall be known and designated as the ''Francis Bland Floodway Ditch''.

(b) LEGAL REFERENCES.—Any reference in any law, map, regulation, document, paper, or other record of the United States to the project and creek referred to in subsection (a) shall be deemed to be a reference to the Francis Bland Floodway Ditch.

SEC. 309. CALOOSAHATCHEE RIVER BASIN, FLORIDA.

Section 528(e)(4) of the Water Resources Development Act of 1996 (110 Stat. 3770) is amended in the first sentence by inserting before the period at the end the following: '', including potential land acquisition in the Caloosahatchee River basin or other areas''.

SEC. 310. CUMBERLAND, MARYLAND, FLOOD PROJECT MITIGATION.

(a) IN GENERAL.—The project for flood control and other purposes, Cumberland, Maryland, authorized by section 5 of the Act of June 22, 1936 (commonly known as the ''Flood Control Act of 1936'') (49 Stat. 1574, chapter 688), is modified to authorize the Secretary to undertake, as a separate part of the project, restoration of the historic Chesapeake and Ohio Canal substantially in accordance with the Chesapeake and Ohio Canal National Historic Park, Cumberland, Maryland, Rewatering Design Analysis, dated February 1998, at a total cost of $15,000,000, with an estimated Federal cost of $9,750,000 and an estimated non-Federal cost of $5,250,000.

(b) IN-KIND SERVICES.—The non-Federal interest for the restoration project under subsection (a)—

(1) may provide all or a portion of the non-Federal share of project costs in the form of in-kind services; and

(2) shall receive credit toward the non-Federal share of project costs for design and construction work performed by the non-Federal interest before execution of a project cooperation agreement and for land, easements, and rights-of-way required for the restoration and acquired by the non-Federal interest before execution of such an agreement.

(c) OPERATION AND MAINTENANCE.—The operation and maintenance of the restoration project under subsection (a) shall be the full responsibility of the National Park Service.

SEC. 311. CITY OF MIAMI BEACH, FLORIDA.

Section 5(b)(3)(C)(i) of the Act of August 13, 1946 (33 U.S.C. 426h), is amended by inserting before the semicolon the following: '', including the city of Miami Beach, Florida''.

SEC. 312. SARDIS RESERVOIR, OKLAHOMA.

(a) IN GENERAL.—The Secretary shall accept from the State of Oklahoma or an agent of the State an amount, as determined under subsection (b), as prepayment of 100 percent of the water supply cost obligation of the State under Contract No. DACW56–74–JC–0314 for water supply storage at Sardis Reservoir, Oklahoma.

(b) DETERMINATION OF AMOUNT.—The amount to be paid by the State of Oklahoma under subsection (a) shall be subject to adjustment in accordance with accepted discount purchase methods for Government properties as determined by an independent accounting firm designated by the Director of the Office of Management and Budget.

(c) EFFECT.—Nothing in this section shall otherwise affect any of the rights or obligations of the parties to the contract referred to in subsection (a).

SEC. 313. UPPER MISSISSIPPI RIVER AND ILLINOIS WATERWAY SYSTEM NAVIGATION MODERNIZATION.

(a) FINDINGS.—Congress finds that—

(1) exports are necessary to ensure job creation and an improved standard of living for the people of the United States;

(2) the ability of producers of goods in the United States to compete in the international marketplace depends on a modern and efficient transportation network;

(3) a modern and efficient waterway system is a transportation option necessary to provide United States shippers a safe, reliable, and competitive means to win foreign markets in an increasingly competitive international marketplace;

(4) the need to modernize is heightened because the United States is at risk of losing its competitive edge as a result of the priority that foreign competitors are placing on modernizing their own waterway systems;

(5) growing export demand projected over the coming decades will force greater demands on the waterway system of the United States and increase the cost to the economy if the system proves inadequate to satisfy growing export opportunities;

(6) the locks and dams on the upper Mississippi River and Illinois River waterway system were built in the 1930s and have some of the highest average delays to commercial tows in the country;

(7) inland barges carry freight at the lowest unit cost while offering an alternative to truck and rail transportation that is environmentally sound, is energy efficient, is safe, causes little congestion, produces little air or noise pollution, and has minimal social impact; and

(8) it should be the policy of the Corps of Engineers to pursue aggressively modernization of the waterway system authorized by Congress to promote the relative competitive position of the United States in the international marketplace.

(b) PRECONSTRUCTION ENGINEERING AND DESIGN.—In accordance with the Upper Mississippi River-Illinois Waterway System Navigation Study, the Secretary shall proceed immediately to prepare engineering design, plans, and specifications for extension of locks 20, 21, 22, 24, 25

on the Mississippi River and the LaGrange and Peoria Locks on the Illinois River, to provide lock chambers 110 feet in width and 1,200 feet in length, so that construction can proceed immediately upon completion of studies and authorization of projects by Congress.

SEC. 314. UPPER MISSISSIPPI RIVER MANAGEMENT.

Section 1103 of the Water Resources Development Act of 1986 (33 U.S.C. 652) is amended—

(1) in subsection (e)—

(A) by striking ''(e)'' and all that follows through the end of paragraph (2) and inserting the following:

''(e) UNDERTAKINGS.—

''(1) IN GENERAL.—

''(A) AUTHORITY.—The Secretary, in consultation with the Secretary of the Interior and the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin, is authorized to undertake—

''(i) a program for the planning, construction, and evaluation of measures for fish and wildlife habitat rehabilitation and enhancement; and

''(ii) implementation of a program of long-term resource monitoring, computerized data inventory and analysis, and applied research.

''(B) REQUIREMENTS FOR PROJECTS.—Each project carried out under subparagraph (A)(i) shall—

''(i) to the maximum extent practicable, simulate natural river processes;

''(ii) include an outreach and education component; and

''(iii) on completion of the assessment under subparagraph (D), address identified habitat and natural resource needs.

''(C) ADVISORY COMMITTEE.—In carrying out subparagraph (A), the Secretary shall create an independent technical advisory committee to review projects, monitoring plans, and habitat and natural resource needs assessments.

''(D) HABITAT AND NATURAL RESOURCE NEEDS ASSESSMENT.—

''(i) AUTHORITY.—The Secretary is authorized to undertake a systemic, river reach, and pool scale assessment of habitat and natural resource needs to serve as a blueprint to guide habitat rehabilitation and long-term resource monitoring.

''(ii) DATA.—The habitat and natural resource needs assessment shall, to the maximum extent practicable, use data in existence at the time of the assessment.

''(iii) TIMING.—The Secretary shall complete a habitat and natural resource needs assessment not later than 3 years after the date of enactment of this subparagraph.

''(2) REPORTS.—On December 31, 2005, in consultation with the Secretary of the Interior and the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin, the Secretary shall prepare and submit to Congress a report that—

''(A) contains an evaluation of the programs described in paragraph (1);

''(B) describes the accomplishments of each program;

''(C) includes results of a habitat and natural resource needs assessment; and

''(D) identifies any needed adjustments in the authorization under paragraph (1) or the authorized appropriations under paragraphs (3), (4), and (5).'';

(B) in paragraph (3)—

(i) by striking ''paragraph (1)(A)'' and inserting ''paragraph (1)(A)(i)''; and

(ii) by striking ''Secretary not to exceed'' and all that follows and inserting ''Secretary not to exceed $22,750,000 for each of fiscal years 1999 through 2009.'';

(C) in paragraph (4)—

(i) by striking ''paragraph (1)(B)'' and inserting ''paragraph (1)(A)(ii)''; and

(ii) by striking ''$7,680,000'' and all that follows and inserting ''$10,420,000 for each of fiscal years 1999 through 2009.'';

(D) by striking paragraphs (5) and (6) and inserting the following:

''(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out paragraph (1)(C) not to exceed $350,000 for each of fiscal years 1999 through 2009.

''(6) TRANSFER OF AMOUNTS.—

''(A) IN GENERAL.—For each fiscal year beginning after September 30, 1992, the Secretary, in consultation with the Secretary of the Interior and the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin, may transfer appropriated amounts between the programs under clauses (i) and (ii) of paragraph (1)(A) and paragraph (1)(C).

''(B) APPORTIONMENT OF COSTS.—In carrying out paragraph (1)(D), the Secretary may apportion the costs equally between the programs authorized by paragraph (1)(A).''; and

(E) in paragraph (7)—

(i) in subparagraph (A)—

(I) by inserting ''(i)'' after ''paragraph (1)(A)''; and

(II) by inserting before the period at the end the following: ''and, in the case of any project requiring non-Federal cost sharing, the non-Federal share of the cost of the project shall be 35 percent''; and

(ii) in subparagraph (B), by striking ''paragraphs (1)(B) and (1)(C) of this subsection'' and inserting ''paragraph (1)(A)(ii)'';

(2) in subsection (f)(2)—

(A) in subparagraph (A), by striking ''(A)''; and

(B) by striking subparagraph (B); and

(3) by adding at the end the following:

''(k) ST. LOUIS AREA URBAN WILDLIFE HABITAT.—The Secretary shall investigate and, if appropriate, carry out restoration of urban wildlife habitat, with a special emphasis on the establishment of greenways in the St. Louis, Missouri, area and surrounding communities.''.

SEC. 315. RESEARCH AND DEVELOPMENT PROGRAM FOR COLUMBIA AND SNAKE RIVERS SALMON SURVIVAL.

Section 511 of the Water Resources Development Act of 1996 (16 U.S.C. 3301 note; Public Law 104–303) is amended by striking subsection (a) and all that follows and inserting the following:

''(a) SALMON SURVIVAL ACTIVITIES.—

''(1) IN GENERAL.—In conjunction with the Secretary of Commerce and Secretary of the Interior, the Secretary shall accelerate ongoing research and development activities, and may carry out or participate in additional research and development activities, for the purpose of developing innovative methods and technologies for improving the survival of salmon, especially salmon in the Columbia/Snake River Basin.

''(2) ACCELERATED ACTIVITIES.—Accelerated research and development activities referred to in paragraph (1) may include research and development related to—

''(A) impacts from water resources projects and other impacts on salmon life cycles;

''(B) juvenile and adult salmon passage;

''(C) light and sound guidance systems;

''(D) surface-oriented collector systems;

''(E) transportation mechanisms; and

''(F) dissolved gas monitoring and abatement.

''(3) ADDITIONAL ACTIVITIES.—Additional research and development activities referred to in paragraph (1) may include research and development related to—

''(A) studies of juvenile salmon survival in spawning and rearing areas;

''(B) estuary and near-ocean juvenile and adult salmon survival;

''(C) impacts on salmon life cycles from sources other than water resources projects;

''(D) cryopreservation of fish gametes and formation of a germ plasm repository for threatened and endangered populations of native fish; and

''(E) other innovative technologies and actions intended to improve fish survival, including the survival of resident fish.

''(4) COORDINATION.—The Secretary shall coordinate any activities carried out under this subsection with appropriate Federal, State, and local agencies, affected Indian tribes, and the Northwest Power Planning Council.

''(5) REPORT.—Not later than 3 years after the date of enactment of this section, the Secretary shall submit to Congress a report on the research and development activities carried out under this subsection, including any recommendations of the Secretary concerning the research and development activities.

''(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 to carry out research and development activities under paragraph (3).

''(b) ADVANCED TURBINE DEVELOPMENT.—

''(1) IN GENERAL.—In conjunction with the Secretary of Energy, the Secretary shall accelerate efforts toward developing and installing in Corps of Engineers-operated dams innovative, efficient, and environmentally safe hydropower turbines, including design of fish-friendly turbines, for use on the Columbia/Snake River hydrosystem.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $35,000,000 to carry out this subsection.

''(c) MANAGEMENT OF PREDATION ON COLUMBIA/SNAKE RIVER SYSTEM NATIVE FISHES.—

''(1) NESTING AVIAN PREDATORS.—In conjunction with the Secretary of Commerce and the Secretary of the Interior, and consistent with a management plan to be developed by the United States Fish and Wildlife Service, the Secretary shall carry out methods to reduce nesting populations of avian predators on dredge spoil islands in the Columbia River under the jurisdiction of the Secretary.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,000,000 to carry out research and development activities under this subsection.

''(d) IMPLEMENTATION.—Nothing in this section affects the authority of the Secretary to implement the results of the research and development carried out under this section or any other law.''.

SEC. 316. NINE MILE RUN HABITAT RESTORATION, PENNSYLVANIA.

The Secretary may credit against the non-Federal share such costs as are incurred by the non-Federal interests in preparing environmental and other preconstruction documentation for the habitat restoration project, Nine Mile Run, Pennsylvania, if the Secretary determines that the documentation is integral to the project.

SEC. 317. LARKSPUR FERRY CHANNEL, CALIFORNIA.

The Secretary shall work with the Secretary of Transportation on a proposed solution to carry out the project to maintain the Larkspur Ferry Channel, Larkspur, California, authorized by section 601(d) of the Water Resources Development Act of 1986 (100 Stat. 4148).

SEC. 318. COMPREHENSIVE FLOOD IMPACT-RESPONSE MODELING SYSTEM.

(a) IN GENERAL.—The Secretary may study and implement a Comprehensive Flood Impact-Response Modeling System for the Coralville Reservoir and the Iowa River watershed, Iowa.

(b) STUDY.—The study shall include—

(1) an evaluation of the combined hydrologic, geomorphic, environmental, economic, social, and recreational impacts of operating strategies within the watershed;

(2) creation of an integrated, dynamic flood impact model; and

(3) the development of a rapid response system to be used during flood and emergency situations.

(c) REPORT TO CONGRESS.—Not later than 5 years after the date of enactment of this Act, the Secretary shall transmit a report to Congress on the results of the study and modeling system and such recommendations as the Secretary determines to be appropriate.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated a total of $2,250,000 to carry out this section.

SEC. 319. STUDY REGARDING INNOVATIVE FINANCING FOR SMALL AND MEDIUM-SIZED PORTS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study and analysis of various alternatives for innovative financing of future construction, operation, and maintenance of projects in small and medium-sized ports.

(b) REPORT.—Not later than 270 days after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and Committee on Transportation and Infrastructure of the House of Representatives and the results of the study and any related legislative recommendations for consideration by Congress.

SEC. 320. CANDY LAKE PROJECT, OSAGE COUNTY, OKLAHOMA.

(a) DEFINITIONS.—In this section:

(1) FAIR MARKET VALUE.—The term ''fair market value'' means the amount for which a willing buyer would purchase and a willing seller would sell a parcel of land, as determined by a qualified, independent land appraiser.

(2) PREVIOUS OWNER OF LAND.—The term ''previous owner of land'' means a person (including a corporation) that conveyed, or a descendant of a deceased individual who conveyed, land to the Corps of Engineers for use in the Candy Lake project in Osage County, Oklahoma.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Army.

(b) LAND CONVEYANCES.—

(1) IN GENERAL.—The Secretary shall convey, in accordance with this section, all right, title, and interest of the United States in and to the land acquired by the United States for the Candy Lake project in Osage County, Oklahoma.

(2) PREVIOUS OWNERS OF LAND.—

(A) IN GENERAL.—The Secretary shall give a previous owner of land first option to purchase the land described in paragraph (1).

(B) APPLICATION.—

(i) IN GENERAL.—A previous owner of land that desires to purchase the land described in paragraph (1) that was owned by the previous owner of land, or by the individual from whom the previous owner of land is descended, shall file an application to purchase the land with the Secretary not later than 180 days after the official date of notice to the previous owner of land under subsection (c).

(ii) FIRST TO FILE HAS FIRST OPTION.—If more than 1 application is filed for a parcel of land described in paragraph (1), first options to purchase the parcel of land shall be allotted in the order in which applications for the parcel of land were filed.

(C) IDENTIFICATION OF PREVIOUS OWNERS OF LAND.—As soon as practicable after the date of enactment of this Act, the Secretary shall, to the extent practicable, identify each previous owner of land.

(D) CONSIDERATION.—Consideration for land conveyed under this subsection shall be the fair market value of the land.

(3) DISPOSAL.—Any land described in paragraph (1) for which an application has not been filed under paragraph (2)(B) within the applicable time period shall be disposed of in accordance with law.

(4) EXTINGUISHMENT OF EASEMENTS.—All flowage easements acquired by the United States for use in the Candy Lake project in Osage County, Oklahoma, are extinguished.

(c) NOTICE.—

(1) IN GENERAL.—The Secretary shall notify—

(A) each person identified as a previous owner of land under subsection (b)(2)(C), not later than 90 days after identification, by United States mail; and

(B) the general public, not later than 90 days after the date of enactment of this Act, by publication in the Federal Register.

(2) CONTENTS OF NOTICE.—Notice under this subsection shall include—

(A) a copy of this section;

(B) information sufficient to separately identify each parcel of land subject to this section; and

(C) specification of the fair market value of each parcel of land subject to this section.

(3) OFFICIAL DATE OF NOTICE.—The official date of notice under this subsection shall be the later of—

(A) the date on which actual notice is mailed; or

(B) the date of publication of the notice in the Federal Register.

SEC. 321. SALCHA RIVER AND PILEDRIVER SLOUGH, FAIRBANKS, ALASKA.

The Secretary shall evaluate and, if justified under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), carry out flood damage reduction measures along the lower Salcha River and on Piledriver Slough, from its headwaters at the mouth of the Salcha River to the Chena Lakes Flood Control Project, in the vicinity of Fairbanks, Alaska, to protect against surface water flooding.

SEC. 322. EYAK RIVER, CORDOVA, ALASKA.

The Secretary shall evaluate and, if justified under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), carry out flood damage reduction measures along the Eyak River at the town of Cordova, Alaska.

SEC. 323. NORTH PADRE ISLAND STORM DAMAGE REDUCTION AND ENVIRONMENTAL RESTORATION PROJECT.

The Secretary shall carry out a project for ecosystem restoration and storm damage reduction at North Padre Island, Corpus Christi Bay, Texas, at a total estimated cost of $30,000,000, with an estimated Federal cost of $19,500,000 and an estimated non-Federal cost of $10,500,000, if the Secretary finds that the work is technically sound, environmentally acceptable, and economically justified. The Secretary shall make such a finding not later than 270 days after the date of enactment of this Act.

SEC. 324. KANOPOLIS LAKE, KANSAS.

(a) WATER SUPPLY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in cooperation with the State of Kansas or another non-Federal interest, shall complete a water supply reallocation study at the project for flood control, Kanopolis Lake, Kansas, as a basis on which the Secretary shall enter into negotiations with the State of Kansas or another non-Federal interest for the terms and conditions of a reallocation of the water supply.

(2) OPTIONS.—The negotiations for storage reallocation shall include the following options for evaluation by all parties:

(A) Financial terms of storage reallocation.

(B) Protection of future Federal water releases from Kanopolis Dam, consistent with State water law, to ensure that the benefits expected from releases are provided.

(C) Potential establishment of a water assurance district consistent with other such districts established by the State of Kansas.

(D) Protection of existing project purposes at Kanopolis Dam to include flood control, recreation, and fish and wildlife.

(b) IN-KIND CREDIT.—

(1) IN GENERAL.—The Secretary may negotiate a credit for a portion of the financial repayment to the Federal Government for work performed by the State of Kansas, or another non-Federal interest, on land adjacent or in close proximity to the project, if the work provides a benefit to the project.

(2) WORK INCLUDED.—The work for which credit may be granted may include watershed protection and enhancement, including wetland construction and ecosystem restoration.

SEC. 325. NEW YORK CITY WATERSHED.

Section 552(d) of the Water Resources Development Act of 1996 (110 Stat. 3780) is amended by striking ''for the project to be carried out with such assistance'' and inserting '', or a public entity designated by the State director, to carry out the project with such assistance, subject to the project's meeting the certification requirement of subsection (c)(1)''.

SEC. 326. CITY OF CHARLEVOIX REIMBURSEMENT, MICHIGAN.

The Secretary shall review and, if consistent with authorized project purposes, reimburse the city of Charlevoix, Michigan, for the Federal share of costs associated with construction of the new revetment connection to the Federal navigation project at Charlevoix Harbor, Michigan.

SEC. 327. HAMILTON DAM FLOOD CONTROL PROJECT, MICHIGAN.

The Secretary may construct the Hamilton Dam flood control project, Michigan, under authority of section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

SEC. 328. HOLES CREEK FLOOD CONTROL PROJECT, OHIO.

(a) IN GENERAL.—Notwithstanding any other provision of law, the non-Federal share of project costs for the project for flood control, Holes Creek, Ohio, shall not exceed the sum of—

(1) the total amount projected as the non-Federal share as of September 30, 1996, in the Project Cooperation Agreement executed on that date; and

(2) 100 percent of the amount of any increases in the cost of the locally preferred plan over the cost estimated in the Project Cooperation Agreement.

(b) REIMBURSEMENT.—The Secretary shall reimburse the non-Federal interest any amount paid by the non-Federal interest in excess of the non-Federal share.

SEC. 329. OVERFLOW MANAGEMENT FACILITY, RHODE ISLAND.

Section 585(a) of the Water Resources Development Act of 1996 (110 Stat. 3791) is amended by striking ''river'' and inserting ''sewer''.

SEC. 330. ANACOSTIA RIVER AQUATIC ECOSYSTEM RESTORATION, DISTRICT OF COLUMBIA AND MARYLAND.

The Secretary may use the balance of funds appropriated for the improvement of the environment as part of the Anacostia River Flood Control and Navigation Project under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a) to construct aquatic ecosystem restoration projects in the Anacostia River watershed under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

SEC. 331. EVERGLADES AND SOUTH FLORIDA ECOSYSTEM RESTORATION.

Subparagraphs (B) and (C)(i) of section 528(b)(3) of the Water Resources Development Act of 1996 (110 Stat. 3769) are amended by striking ''1999'' and inserting ''2003''.

Mr. BAUCUS. Mr. President, I join my chairman, Senator CHAFEE, in support of the legislation before us today, S. 507, the Water Resources Development Act of 1999. I also want to recognize the new Chairman of the Transportation and Infrastructure Subcommittee, Senator VOINOVICH, for his hard work on this bill, along with last year's Chairman, Senator WARNER.

As we all know, the Water Resources Development Act of 1998 passed this chamber last year, but was never enacted. It is our hope that early action in this session will help us wrap up the unfinished business from the 105th Congress. It will also set us on course to develop a Water Resources Development Act for 2000.

S. 507 authorizes more than 40 projects for flood control, navigation, shore protection, environmental restoration, water supply storage and

recreation. Twenty-seven projects are modified and the Corps is directed to conduct 43 separate studies throughout the Nation. The projects have the support of a local sponsor willing to share the cost of the project. The Congressional Budget Office estimates that the total Federal cost of this bill will be $2.3 billion over the next 10 years.

Many of the projects contained in this bill are necessary to protect the nation's shorelines, along oceans, lakes and rivers. Several of the navigation projects need timely authorization in order to keep our ports competitive in the global marketplace. Furthermore, the study authorizations, including a comprehensive, cumulative impact study of the Yellowstone River in my home state of Montana, need to get started to help us make informed decisions about the future use and management of these precious resources.

The projects in this bill have been reviewed by the Army Corps of Engineers and have been found to be in the Federal interest, technologically feasible, economically justified and environmentally sound. In other words, these are projects worthy of our support.

I am pleased to bring this bill to the floor and urge my colleagues to approve it.

AMENDMENT NO. 253

(Purpose: To make managers' amendments)

Mr. CRAIG. Mr. President, there is a managers' amendment at the desk. I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Idaho [Mr. CRAIG], for Mr. CHAFEE, proposes an amendment numbered 253.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. CRAIG. Mr. President, I ask unanimous consent the amendment be considered as read and agreed to, the committee substitute be agreed to, as amended, the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 253) was agreed to.

The committee amendment in the nature of a substitute, as amended, was agreed to.

the bill was ordered to be engrossed for a third reading was read the third time, and passed, as follows:

[The bill was not available for printing. It will appear in a future issue of the RECORD.]

ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

Mr. CRAIG. Mr. President, if there is no further business to come before the Senate, I now ask the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:31 p.m., adjourned until Tuesday, April 20, 1999, at 10:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate April 19, 1999:

DEPARTMENT OF ENERGY

ROBERT WAYNE GEE, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF ENERGY (FOSSIL ENERGY).

EXTENSIONS OF REMARKS

HONORING STEVEN W. EASTER UPON HIS RETIREMENT

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 19, 1999

Mr. MATSUI. Mr. Speaker, I rise in tribute to Mr. Steven W. Easter. He is retiring as vice president for member and government relations at Blue Diamond Growers in Sacramento, CA. As Mr. Easter is ''roasted'' by his many friends and business associates, I ask all of my colleagues to join with me in saluting his remarkable career.

Mr. Easter was born in Merced, CA, in 1941. He is a fifth generation Californian whose family has long been involved in agriculture and agricultural educational endeavors. He was raised on a small farm in the San Joaquin Valley where his father was an agricultural educator.

After growing up in Dos Palos, CA, he attended the University of California at Davis, where he received a Bachelor of Science degree in Agricultural Economics in 1963 and a Master of Science degree in Agricultural Business Management in 1964.

Blue Diamond Growers, a 4,000-member cooperative that is the largest processor and marketer of almonds in the world, first employed him as a field representative in 1967. His subsequent positions with Blue Diamond included that of assistant membership manager, field manager, and membership manager.

In 1975, Mr. Easter was given the additional responsibility of corporate secretary at Blue Diamond Growers. He assumed his current position as vice president, member and governmental relations in November 1980.

All told, Mr. Easter has served as a corporate officer at Blue Diamond for 23 years; his total employment there spans 31 years. I am honored to salute his outstanding dedication to one of Sacramento's finest corporate citizens.

Mr. Easter's business excellence also extends beyond Blue Diamond Growers. He currently serves as a director of the Almond Board of California and is past president of the Almond Hullers and Processors Association. He also recently served 2 years as chairman of the Board of the American Institute of Cooperation.

He is also a member of the Advisory Committee on horticultural trade to the U.S. Secretary of Agriculture and the U.S. Trade Representative. Mr. Easter is presently chairman of the Agricultural Council of California.

Additionally, he has served as chairman of the American Institute of Cooperatives, as well as chair of the Agricultural Council Education Committee. Locally, Mr. Easter has served on the board of the Sacramento Country Day School for 15 years, including a term as Education Committee chairman.

Steve Easter has contributed enormously to Blue Diamond Growers and the Sacramento community-at-large. He has helped Blue Diamond grow its sales to $500 million per year and seen it develop and open markets in more than 90 countries around the globe.

Mr. Speaker, as Steve Easter is ''roasted'' by his many friends and colleagues today, I am honored to pay tribute to one of Sacramento's great citizens. His tireless contributions to the member growers of Blue Diamond as well as to the Sacramento community are commendable. I ask all of my colleagues to join with me in wishing him every success in all his future endeavors.

PERSONAL EXPLANATION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 19, 1999

Mr. RANGEL. Mr. Speaker, on rollcall No. 81, to provide for a national medal for public safety officers who act with extraordinary valor above and beyond the call of duty, had I been present, I would have voted ''yea.''

TAX LIMITATION CONSTITUTIONAL AMENDMENT

SPEECH OF

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. FRELINGHUYSEN. Mr. Speaker, on a day when many Americans are complaining about how much they pay in taxes, I rise in support of passing the Tax Limitation Amendment, legislation that would require a ⅔ supermajority in Congress to approve any future tax increases.

If a ⅔ supermajority is required to pass some of the most important issues concerning our Nation, like amending the Constitution and ratifying international treaties, the same standard should be used when deciding to take more hard-earned money from the American taxpayer. In short, the Tax Limitation Amendment gives taxpayers protection against future reckless spending and tax-grabbing by the Federal Government. I find it hard to believe any Member of Congress could oppose such a simple, straightforward protection for taxpayers.

By making it more difficult for Congress to reach into the pockets of taxpayers to fund increased Government spending, a ⅔ supermajority requirement would ensure Congress is more fiscally responsible with America's money. Although the economy is presently in good shape, taxes are still the highest they've been since World War II. It's important to implement the ⅔ standard now, when we have a surplus and times are good, to prevent future Congresses from turning to high taxes down the road.

States have passed tax limitation measures with overwhelming voter support. In the 14 States which have implemented tax limitation standards, taxes and spending grow at slower rates, while the economy and job rates grow more quickly. In my own State of New Jersey, Gov. Christine Whitman is a strong supporter for the Tax Limitation Amendment because she knows, as do I, that this legislation is good for New Jersey's taxpayers.

Mr. Speaker, I urge my colleagues to join me today in making it tougher for this body to raise taxes on an America that is already over-taxed!

TAX LIMITATION CONSTITUTIONAL AMENDMENT

SPEECH OF

HON. BOB RILEY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. RILEY. Mr. Speaker, I rise today in strong support of the American taxpayer and in support of the Tax Limitation Amendment.

The 105th Congress, more than any other, gave the American people much needed tax relief. Still, here we are at another April 15 and taxes are still too high and the Tax Code is still too complicated.

This year, just like every year, the average American family will work until approximately mid-May to earn enough income to pay an entire year's worth of taxes. In a time when we have budget surpluses, that fact seems inconceivable. Why have we not yet lessened their burden?

What is more inconceivable is that this past February the President sent us a budget proposal that increased taxes by an incredible $108 billion. Why?

Mr. Speaker, I have come to this floor time and time again saying the same thing over and over. The ''Tax and Spend'' liberals just don't seem to get the message. Well, I will continue to come here to this floor and say the same thing again and again until they do. The message is quite simple: The American people know how to spend their hard earned income better than we do—it's time we lower taxes, not raise them.

I firmly believe that we must protect the American people from those would take their hard-earned dollars away at every turn of the hat to fund more feel-good programs. In my view, there is only one way to do that—make it more difficult for any Congress to increase taxes.

That's why I support this amendment, Mr. Speaker. It will force Congress to finally hold the line on taxes. It is a reasonable, straight forward approach that requires only one thing from Congress: Before any tax increase on the American people can be passed, a two-thirds super-majority in both Houses of Congress must agree to it.

Last Congress we passed the Balanced Budget Act of 1997 which balanced our Federal budget for the first time in a generation.

We even managed to give the American people a tax cut in the process. The result? We now have projected budget surpluses for years to come totalling more than a trillion dollars.

Mr. Speaker, I don't buy the argument that raising taxes in times of emergency would be too difficult or even needed. But even if it were, I believe that Congress can and would put aside partisan differences and raise taxes in an appropriate manner to meet the nation's needs.

Draining more and more dollars from private individuals and businesses should not be easy. Taking a bigger bite out of the American people's paychecks should be just as difficult for that tax-collector as it is for us to earn those paychecks.

Mr. Speaker, we owe it to the American people to pass this amendment. We owe it to the American family. It's difficult enough to make ''ends meet'' these days. So on this tax day, let's put the final nail in the coffin of the days of ''tax and spend'' and pass this amendment.

TAX LIMITATION CONSTITUTIONAL AMENDMENT

SPEECH OF

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. JONES of North Carolina. Mr. Speaker, I rise today in support of the Tax Limitation Amendment.

In his 1985 State of the Union speech, President Reagan said,

> Every dollar the Federal Government does not take from us, every decision it does not make for us will make our economy stronger, our lives more abundant, our future more free.

Unfortunately, either the tax and spend liberals did not hear President Reagan or they weren't listening.

In 1993, the Clinton administration and the Democrat-led Congress passed into law the greatest tax increase in American history. And they passed it with a simple majority.

Today, the typical American family spends more money on taxes than it spends on food, clothing, shelter, and transportation combined. This is a burden of more than 38 percent.

While the Republican-led Congress has worked to alleviate the tax burden on our hard-working families over the last 4 years, the Federal tax portion of national production is at a post-World War II high. In fact, it is over 20 percent of the gross domestic product.

Mr. Speaker, this is unacceptable. Every year, the Federal Government continues to take more money out of the pockets of American workers, even during times of prosperity. Now, with the first budget surplus in a generation, we should be rewarding our hardworking American families for helping the country get back on its feet, not punish them with more taxes.

Today, we have an opportunity to ensure Congress acts responsibly with taxpayer dollars. The Tax Limitation Act would amend the Constitution to require a two-thirds ''super majority'' vote by Congress before it could increase taxes on American families.

That two-thirds majority indicates bipartisan support. And in my opinion, Mr. Speaker, Congress ahould never seek to raise taxes on the American people without a two-thirds majority.

I urge my colleagues to join me in supporting the Tax Limitation Act.

MELVIN RICE

HON. JOSEPH M. HOEFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 19, 1999

Mr. HOEFFEL. Mr. Speaker, Melvin Rice began his career in law enforcement on March 5, 1973, with the Abington Township Police Department. Melvin was a member of the last class to be held at the Old York Road Police Department. During his 25 years in the department, Melvin worked the Patrol Division and was in the Special Task Force and Juvenile Detective Division for 2 years. He became one of the first (of four) K–9 officers in the department and served in that position for the past 16 years. Melvin has received numerous citations from the department, the U.S. Police Canine Association and other departments. Melvin also has served in the Abington Township Police Honor Guard and the Abington Township Human Relations Board.

It was Melvin's desire to recruit more minorities into the law enforcement field. This led him to develop the first concept of the pretesting tutoring program, which was later adopted as an ongoing process for all new recruits.

The most rewarding experience came when Melvin cofounded, along with Sgt. William Hold, the Montgomery County Black Law Enforcement Officers Association, an association dedicated to minority recruitment.

Melvin retired on January 24, 1999, to spend time with his wife, Georgianna, his son, Michael, and his daughter, Danielle, daughter-in-law, Misty, and grandson, Joshua. He leaves the department with many happy memories and will continue his work with the Montgomery County Black Law Enforcement Officers Association and in his community.

PERSONAL EXPLANATION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 19, 1999

Mr. RANGEL. Mr. Speaker, on rollcall No. 82, congratulating the State of Qatar and its citizens for their commitment to democratic ideals and women's suffrage, had I been present, I would have voted ''yea.''.

THOMAS WARD HONORED

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 19, 1999

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to Mr. Thomas J. Ward of Northeastern Pennsylvania. Tom is retiring as President and CEO of Blue Cross of Northeastern Pennsylvania. I am pleased to have been asked to join in honoring his long career.

Tom began his career in New York in a variety of health care-related positions. In 1967, he was a research assistant for a special environmental project of the New York Department of Health. He taught at the State University of New York and later served as a research consultant there until 1969. Tom also held several positions at the Albany Medical College until he arrived in Northeastern Pennsylvania in 1973. He began as Director of Planning and Research for the Health and Hospital Planning Council of Northeastern Pennsylvania, and later became the Deputy Director of the entire Council. In 1976, Tom became Special Assistant of Health Care Planning at Blue Cross. He went on to hold the posts of Director of Professional Affairs, Vice-President of Professional and Public Affairs, and Executive Vice-President before being appointed President and CEO in October 1990.

Since 1990, Blue Cross of Northeastern Pennsylvania has soared in membership. Tom helped shift Blue Cross from an indemnity company to a managed care company by establishing six divisions in 1992, each under the supervision of a vice-president. Tom also instituted a quality management approach to review all the processes in the company and establish specific improvement goals.

Tom is very active in our community, sitting on the Board of Keystone Junior College, the Lackawanna County Association of Retarded Citizens, the Hospital Association of Pennsylvania, the Scranton Chamber of Commerce, the United Way, and the Boy Scouts of America. Tom and his wife Priscilla have five grown children and reside in Clarks Summit, Pennsylvania.

Through his able leadership and broad vision of health insurance needs of the future, Tom Ward has skillfully led Blue Cross of Northeastern Pennsylvania. Mr. Speaker, I am proud to join with his family, friends, and colleagues in thanking him for ''a job well done'' and wishing him a happy, healthy, and productive retirement.

PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF 1999

SPEECH OF

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 13, 1999

Mr. CASTLE. Mr. Speaker, I rise today in support of H.R. 46, the ''Public Safety Officer Medal of Valor Act.'' Our nation's firefighters, enforcement officers, and other emergency services personnel put themselves at risk every day to assure the safety of the general public. Just as our military personnel are recognized for extraordinary acts of valor in the effort to preserve peace abroad, so should our domestic safety officers be recognized for their bravery above and beyond the call of duty.

Last year, Members of Congress witnessed an extraordinary act of valor as Capitol Hill police officers gave their lives defending the Halls of Congress from a gunman intent on shooting his way into Congress. It was a potent reminder of the risks every public safety officer face each and every day. I never will

forget that sacrifice and by supporting this legislation I hope to draw more attention to sacrifices of the hundreds of thousands of public safety officers that serve our country.

In Delaware, I am particularly proud of the work of our firefighters because most of them serve the State voluntarily. Likewise, Delaware's police officers often find themselves squarely in the sights of a criminal's handgun, which prompted me to support legislation to provide all of Delaware's police force with bulletproof vests.

Again, I urge every Member to come together and support the ''Public Safety Officer Medal of Valor Act.'' It symbolizes honor and recognition that is long past due.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, April 20, 1999 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 21

8:30 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings to review the recent report on the Federal Crop Insurance Program by the Office of Inspector General, Department of Agriculture.

SR–328A

9:30 a.m.

Indian Affairs

To hold hearings on S.401, to provide for business development and trade promotion for native Americans,and for other purposes.

SR–485

Armed Services

Readiness and Management Support Subcommittee

To hold hearings on the readiness of the United States Navy and Marines operating forces.

SR–222

Governmental Affairs

To hold hearings on S.746, to provide for analysis of major rules, to promote the public's right to know the costs and benefits of major rules, and to increase the accountability of quality of Government.

SD–342

Energy and Natural Resources

To hold hearings on whether the United States has the natural gas supply and infrastructure necessary to meet projected demand.

SD–366

10 a.m.

Judiciary

To hold hearings on privacy issues surrounding the internet.

SD–226

Foreign Relations

Business meeting to markup proposed legislation authorizing funds for fiscal years 2000-2001 for foreign assistance programs.

SH–216

Appropriations

Defense Subcommittee

To hold hearings on issues relating to the Defense Health Program.

SD–192

1 p.m.

Judiciary

Constitution, Federalism, and Property Rights Subcommittee

Business meeting to consider S.J.Res.14, proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

SD–226

2 p.m.

Energy and Natural Resources

Forests and Public Land Management Subcommittee

To hold oversight hearings to review the Memorandum of Understanding signed by multiple agencies regarding the Lewis and Clark bicentennial celebration.

SD–366

Foreign Relations

To hold hearings to examine NATO's 50th anniversary summit.

SD–562

United States Senate Caucus on International Narcotics Control

To hold hearings on the threat of corruption to United States Law Enforcement along the Southwest border.

SH–216

Commerce, Science, and Transportation

Science, Technology, and Space Subcommittee

To hold hearings on proposed legislation authorizing funds for fiscal year 2000 for Technology Administration, Department of Commerce.

SR–253

2:30 p.m.

Armed Services

SeaPower Subcommittee

To hold hearings on proposed legislation authorizing funds for fiscal year 2000 for the Department of Defense, focusing on ship aquisition programs and policy and the Future Years Defense Program.

SR–222

3 p.m.

Intelligence

To hold closed hearings on pending intelligence matters.

SH–219

APRIL 22

9:30 a.m.

Commerce, Science, and Transportation

To hold hearings to examine boxing industry regulations.

SR–253

Appropriations

VA, HUD, and Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 2000 for the Department of Housing and Urban Development.

SD–138

YEAR 2000 TECHNOLOGY PROBLEM

To hold hearings on issues relating to the oil industry and Y2K.

SH–216

Appropriations

Interior Subcommittee

To hold hearings on proposed budget estimates for fiscal year 2000 for the Department of the Interior.

SD–124

Appropriations

Labor, Health and Human Services, and Education Subcommittee

To hold hearings on issues relating to prostate cancer.

SR–301

Energy and Natural Resources

To resume closed oversight hearings to examine damage to the national security from Chinese espionage at the Department of Energy nuclear weapons laboratories.

S–407, Capitol

10 a.m.

Governmental Affairs

To hold hearings on S.59, to provide Government-wide accounting of regulatory costs and benefits, and other regulatory reform legislation.

SD–342

Budget

To hold hearings to examine the status of the Medicare trust fund.

SD–608

Judiciary

Business meeting to resume consideration of S.625, to amend title 11, United States Code, and other pending calendar business.

SD–226

Banking, Housing, and Urban Affairs

International Trade and Finance Subcommittee

Economic Policy Subcommittee

To hold joint hearings on issues relating to the official dollarization in emerging-market countries.

SD–538

Health, Education, Labor, and Pensions

To hold hearings on issues relating to the Elementary Secondary Education Act.

SD–628

Foreign Relations

East Asian and Pacific Affairs Subcommittee

To hold hearings to examine North Korea's prison camps.

SD–562

2 p.m.

Energy and Natural Resources

National Parks, Historic Preservation, and Recreation Subcommittee

To hold hearings on S.441, to amend the National Trails System Act to designate the route of the War of 1812 British invasion of Maryland and Washington, District of Columbia, and the route of the American defense, for study for potential addition to the national trails system; S.548, to establish the Fallen Timbers Battlefield and Fort Miamis National Historical Site in the State of Ohio; S.581, to protect the Paoli and Brandywine Battlefields in Pennsylvania, to authorize a Valley Forge Museum of the American Revolution at Valley Forge National Historical Park; and S.700, to amend the National Trails System Act to designate the Ala Kahakai Trail as a National Historic Trail.

SD–366

Intelligence

To hold closed hearings on pending intelligence matters.

SH–219

Commerce, Science, and Transportation

Communications Subcommittee

To hold hearings to examine international satellite reform.

SR–253

Armed Services

Readiness and Management Support Subcommittee

To hold hearings on research, development, test and evaluation infrastructure and management reform issues.

SR–222

APRIL 26

1 p.m.
Aging
To hold hearings to examine the growing assisted living industry, focusing on consumer protections and quality of care in assisted living.
SD–215

APRIL 27

9:30 a.m.
Energy and Natural Resources
To resume hearings on S.25, to provide Coastal Impact Assistance to State and local governments, to amend the Outer Continental Shelf Lands Act Amendments of 1978, the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people; S.446, to provide for the permanent protection of the resources of the United States in the year 2000 and beyond; and S.532, to provide increased funding for the Land and Water Conservation Fund and Urban Parks and Recreation Recovery Programs, to resume the funding of the State grants program of the Land and Water Conservation Fund, and to provide for the acquisition and development of conservation and recreation facilities and programs in urban areas.
SD–366

10 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine medical records privacy issues.
SD–628

Commission on Security and Cooperation in Europe
To hold joint hearings on Belarus.
340 Cannon Building

2:30 p.m.
Armed Services
Emerging Threats and Capabilities Subcommittee
To hold hearings on the threat of international narcotics-trafficking and the role of the Department of Defense in the nation's war on drugs.
SR–222

APRIL 28

9:30 a.m.
Indian Affairs
To hold oversight hearings on Bureau of Indian Affairs capacity and mission.
SR–485

Rules and Administration
To hold oversight hearings on the operations of the Architect of the Capitol.
SR–301

2 p.m.
Energy and Natural Resources
Forests and Public Land Management Subcommittee
To hold hearings on S.607, reauthorize and amend the National Geologic Mapping Act of 1992; S.415, to protect the permanent trust funds of the State of Arizona from erosion due to inflation and modify the basis on which distributions are made from those funds; and S.416, to direct the Secretary of Agriculture to convey the city of Sisters, Oregon, a certain parcel of land for use in connection with a sewage treatment facility.
SD–366

APRIL 29

9:30 a.m.
Appropriations
Interior Subcommittee
Energy and Natural Resources
National Parks, Historic Preservation, and Recreation Subcommittee
To hold joint oversight hearings to review the report of the Government Accounting Office on the Everglades National Park Restoration Project.
SD–366

Environment and Public Works
Transportation and Infrastructure Subcommittee
To hold hearings on project delivery and streamlining of the Transportation Equity Act for the 21st Century.
SD–406

10 a.m.
Health, Education, Labor, and Pensions
To resume hearings on issues relating to the Elementary Secondary Education Act.
SD–628

APRIL 30

10 a.m.
Health, Education, Labor, and Pensions
Aging Subcommittee
To hold hearings on issues relating to the Older Americans Act.
SD–628

MAY 4

9:30 a.m.
Energy and Natural Resources
To resume hearings on S.25, to provide Coastal Impact Assistance to State and local governments, to amend the Outer Continental Shelf Lands Act Amendments of 1978, the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people; S.446, to provide for the permanent protection of the resources of the United States in the year 2000 and beyond; and S.532, to provide increased funding for the Land and Water Conservation Fund and Urban Parks and Recreation Recovery Programs, to resume the funding of the State grants program of the Land and Water Conservation Fund, and to provide for the acquisition and development of conservation and recreation facilities and programs in urban areas.
SD–366

Indian Affairs
To hold oversight hearings on Census 2000, implementation in Indian Country.
SR–485

MAY 5

9:30 a.m.
Indian Affairs
To hold oversight hearings on Tribal Priority Allocations and Contract Support Costs Report.
SR–485

MAY 6

9:30 a.m.
Energy and Natural Resources
To hold hearings to examine the results of the December 1998 plebiscite on Puerto Rico.
SH–216

MAY 12

9:30 a.m.
Indian Affairs
To hold oversight hearings on HUBzones implementation.
SR–485

MAY 19

9:30 a.m.
Indian Affairs
To hold hearings on S.614, to provide for regulatory reform in order to encourage investment, business, and economic development with respect to activities conducted on Indian lands.
SR–485

SEPTEMBER 28

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the American Legion.
345 Cannon Building

CANCELLATIONS

APRIL 21

9:30 a.m.
Energy and Natural Resources
Business meeting to consider pending calendar business.
SD–366

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S3823–S3887

Measures Introduced: Six bills and one resolution were introduced, as follows: S. 826–831, and S. Con. Res. 27. **Page S3848**

Measures Passed:

Use of Capitol Grounds/JFK Center for the Performing Arts: Senate agreed to H. Con. Res. 52, authorizing the use of the East Front of the Capitol Grounds for performances sponsored by the John F. Kennedy Center for the Performing Arts. **Page S3829**

Use of Capitol Rotunda/NATO 50th Anniversary: Senate agreed to H. Con. Res. 81, permitting the use of the Rotunda of the Capitol for a ceremony in honor of the Fiftieth Anniversary of the North Atlantic Treaty Organization (NATO) and welcoming the three newest members of NATO, the Republic of Poland, the Republic of Hungary, and the Czech Republic, into NATO. **Pages S3829–30**

Gold Medal Award to Rosa Parks: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of S. 531, to authorize the President to award a gold medal on behalf of the Congress to Rosa Parks in recognition of her contributions to the Nation, and by a unanimous vote of 86 yeas (Vote No. 88), Senate passed the bill. **Pages S3837–45**

Wyoming Land Transfer: Senate passed S. 361, to direct the Secretary of the Interior to transfer to John R. and Margaret J. Lowe of Big Horn County, Wyoming, certain land so as to correct an error in the patent issued to their predecessors in interest. **Pages S3865–66**

Alaska Land Exchange: Senate passed S. 426, to amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Huna Totem Corporation, after agreeing to committee amendments. **Pages S3865–66**

Alaska Land Exchange: Senate passed S. 430, to amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Kake Tribal Corporation, after agreeing to committee amendments. **Pages S3865–67**

Wyoming Land Transfer: Senate passed S. 449, to direct the Secretary of the Interior to transfer to the personal representative of the estate of Fred Steffens of Big Horn County, Wyoming, certain land comprising the Steffens family property. **Pages S3865, S3867**

Methane Hydrate Research and Development: Senate passed S. 330, to promote the research, identification, assessment, exploration, and development of methane hydrate resources. **Pages S3865, S3867**

Runaway and Homeless Youth Act Authorization: Senate passed S. 249, to provide funding for the National Center for Missing and Exploited Children, to reauthorize the Runaway and Homeless Youth Act, after agreeing to a committee amendment in the nature of a substitute. **Pages S3867–73**

Army Water Conservation and Development Authorization: Senate passed S. 507, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, after agreeing to a committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S3874–87**

Craig (for Chafee) Amendment No. 253, to make managers' amendments. **Page S3887**

Budget Process Emergencies Designation—Agreement: A unanimous-consent agreement was reached providing for the consideration of S. 557, to provide guidance for the designation of emergencies as a part of the budget process, on Tuesday, April 20, 1999. **Page S3874**

Nominations Confirmed: Senate confirmed the following nominations:

Robert Wayne Gee, of Texas, to be an Assistant Secretary of Energy (Fossil Energy). **Pages S3873, S3887**

Messages From the House: **Pages S3845–46**

Measures Referred: **Page S3846**

Petitions: **Pages S3846–48**

Executive Reports of Committees: Page S3848
Statements on Introduced Bills: Pages S3848–52
Additional Cosponsors: Pages S3852–54
Amendments Submitted: Pages S3857–62
Notices of Hearings: Page S3862
Authority for Committees: Page S3862
Additional Statements: Pages S3862–65

Record Votes: One record vote was taken today. (Total—88) Page S3845

Adjournment: Senate convened at 12 noon, and adjourned at 6:31 p.m., until 10:30 a.m., on Tuesday, April 20, 1999. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3874.)

Committee Meetings

(Committees not listed did not meet)

DRUG KINGPINS

Committee on Foreign Relations: Subcommittee on Western Hemisphere, Peace Corps, Narcotics and Terrorism met in closed session to receive a briefing on issues relating to the targeting of assets of drug kingpins from Mary Lee Warren, Deputy Assistant Attorney General, Criminal Division, Department of Justice; and R. Richard Newcomb, Director, Office of Foreign Assets Control, Department of the Treasury.

House of Representatives

Chamber Action

Bill Introduced: 1 public bill, H.R. 1474, was introduced. Page H2137

Reports Filed: Reports were filed today as follows:

H.R. 929, to amend title 13, United States Code, to require that the questionnaire used in taking the 2000 decennial census be made available in certain languages besides English (H. Rept. 106–96);

H.R. 1010, to improve participation in the 2000 decennial census by increasing the amounts available to the Bureau of the Census for marketing, promotion, and outreach, amended (H. Rept. 106–97);

H.R. 999, to amend the Federal Water Pollution Control Act to improve the quality of coastal recreation waters, and for other amended (H. Rept. 106–98); and

H.R. 1184, to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 2000 and 2001, amended (H. Rept. 106–99 Part 1). Page H2137

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Morella to act as Speaker pro tempore for today. Page H2135

Official Objectors for the Private Calendar: The Chair announced the majority and minority leadership appointments of official objectors for the Private Calendar. For the majority: Representatives Sensenbrenner, Gekas, and Coble. For the minority: Representatives Boucher and DeLauro. Page H2135

Library of Congress Trust Fund Board: The Chair announced the Speaker's appointment of Mr. John Henry of Florida to the Library of Congress Trust Fund Board to fill a five-year term. Page H2135

Senate Messages: Message received by the Clerk on April 16 appears on page H2135.

Quorum Calls—Votes: No quorum calls or recorded votes developed during the proceedings of the House today.

Adjournment: The House met at 2:00 p.m. and adjourned at 2:07 p.m.

Committee Meetings

No committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, APRIL 20, 1999

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities, to hold hearings on proposed legislation authorizing funds for fiscal year 2000 for the Department of Defense, focusing on the science and technology program and the Future Years Defense Program, 2:30 p.m., SR–222.

Committee on Energy and Natural Resources: to hold hearings on S. 25, to provide Coastal Impact Assistance to State and local governments, to amend the Outer Continental Shelf Lands Act Amendments of 1978, the Land and Water Conservation Fund Act of 1965, the Urban

Park and Recreation Recovery Act, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people; S. 446, to provide for the permanent protection of the resources of the United States in the year 2000 and beyond; and S. 532, to provide increased funding for the Land and Water Conservation Fund and Urban Parks and Recreation Recovery Programs, to resume the funding of the State grants program of the Land and Water Conservation Fund, and to provide for the acquisition and development of conservation and recreation facilities and programs in urban areas, 9:30 a.m., SD–366.

Committee on Foreign Relations: to resume hearings on United States vulnerability to ballistic missile attack, 9:30 a.m., SD–562.

Full Committee, to hold hearings on issues relating to the war in Kosovo, 2:30 p.m., SD–106.

Committee on Governmental Affairs: to hold hearings on the nominations of Eric T. Washington, to be an Associate Judge of the District of Columbia Court of Appeals; Stephen H. Glickman, to be an Associate Judge of the District of Columbia Court of Appeals; and Hiram E. Puig-Lugo, to be an Associate Judge of the Superior Court of the District of Columbia, 10:30 a.m., SD–342.

Committee on Indian Affairs: to hold oversight hearings on the implementation of the Native American Graves Protection and Repatriation Act (P.L. 101–601), 9:30 a.m., SH–216.

Committee on the Judiciary: to hold hearings on S.J. Res. 14, proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States, 10 a.m., SD–226.

Subcommittee on Youth Violence, with the Subcommittee on Technology, Terrorism, and Government Information, to hold joint hearings on domestic preparedness in the next generation, 2 p.m., SD–226.

Subcommittee on Technology, Terrorism, and Government Information, with the Subcommittee on Youth Violence, to hold joint hearings on domestic preparedness in the next generation, 2 p.m., SD–226.

Committee on Veterans Affairs: to hold hearings on the Department of Veterans Affairs contingency plans for the year 2000, 2:30 p.m., SR–418.

House

Committee on Appropriations, Subcommittee on Interior, on Members of Congress, 10 a.m., and 1:30 p.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, and Education, on public witnesses, 2 p.m., 2358 Rayburn.

Subcommittee on VA, Hud and Independent Agencies, on Department of Veterans Affairs, 9:30 a.m., and 1:30 p.m., 2359 Rayburn.

Committee on Banking and Financial Services, Subcommittee on General Oversight and Investigations and the Subcommittee on Financial Institutions and Consumer Credit, joint hearing on reporting requirements under the Bank Secrecy Act of 1970 and related statutes, 2 p.m., 2128 Rayburn.

Committee on Commerce, Subcommittee on Health and Environment, to mark up H.R. 1180, Work Incentives Improvement Act of 1999, 2 p.m., 2123 Rayburn.

Subcommittee on Oversight and Investigations, hearing on Security at the Department of Energy's Laboratories: The Perspective of the General Accounting Office, 2 p.m., 2322 Rayburn.

Committee on Education and the Workforce, Subcommittee on Employer-Employee Relations, hearing on Employer Health Plan Accountability: Do Participants Have Adequate Protections? 2 p.m., 2175 Rayburn.

Committee on Government Reform, Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs, to mark up H.R. 1074, Regulatory Right-to-Know Act of 1999, 2 p.m., 2247 Rayburn.

Committee on the Judiciary, to mark up the following bills: H.R. 833, Bankruptcy Reform Act of 1999; and H.R. 771, to amend rule 30 of the Federal Rules of Civil Procedure to restore the stenographic preference for recording depositions, 11 a.m., 2141 Rayburn.

Committee on Resources, Subcommittee on National Parks and Public Lands, hearing on the following bills: H.R. 791, Star-Spangled Banner National Historic Trail Study Act of 1999; and H.R. 1104, to authorize the Secretary of the Interior to transfer administrative jurisdiction over land within the boundaries of the home of Franklin D. Roosevelt National Historic Site to the Archivist of the United States for the construction of a visitor center, 10 a.m., 1324 Longworth.

Committee on Rules, to consider the following: Conference Report to accompany H.R. 800, Education Flexibility Partnership Act of 1999; and H.R. 1184, Earthquake Hazards Reduction Authorization Act of 1999, 1 p.m., H–313 Capitol.

Next Meeting of the SENATE

10:30 a.m., Tuesday, April 20

Senate Chamber

Program for Tuesday: After the recognition of two Senators for speeches and the transaction of any morning business (not to extend beyond 11:30 a.m.), Senate may consider any cleared legislative or executive business.

At 2:15 p.m., Senate will consider S. 557, Budget Reform.

(Senate will recess from 12:30 p.m. until 2:15 p.m., for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Tuesday, April 20

House Chamber

Program for Tuesday: Consideration of 5 Suspensions:

(1) H.R. 573, to authorize the President to award a gold medal on behalf of the Congress to Rosa Parks;

(2) H.R. 208, to allow for certain contributions of rollover distributions and waivers of waiting period requirements in the Thrift Savings Plan;

(3) H. Res. 128, to condemn the murder of human rights lawyer Rosemary Nelson and call for protection of defense attorneys in Northern Ireland;

(4) H. Con. Res. 54, to recognize the first anniversary of the Good Friday Peace Agreement; and

(5) H.R. 1379, to amend the 1999 omnibus supplemental appropriations act to make a correction re international narcotics control and law enforcement assistance.

Extensions of Remarks, as inserted in this issue

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